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ZAMBIA DEMOCRATIC GOVERNANCE PROJECT
Monitoring and Evaluation Studies

MID-TERM REVIEW

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CONTENTS

EXECUTIVE SUMMARY.....	1
MAIN RECOMMENDATIONS.....	5
INTRODUCTION.....	9
Project Description.....	9
USAID DG Strategy.....	11
Evaluation Framework	13
The Zambian Political Context, 1991-1995.....	15
PROJECT ACTIVITIES.....	21
Constitutional Reform.....	21
Civic Education.....	40
Media Independence.....	64
Legislative Performance.....	78
Policy Coordination.....	89
PROJECT MANAGEMENT.....	101
Institutional Arrangements.....	101
Management Performance.....	103
Contractor Performance.....	106
Cost Effectiveness and Financial Management.....	110
Monitoring and Evaluation.....	113
GENDER DIMENSIONS.....	120
PROJECT ADJUSTMENTS.....	128
Project Coherence.....	128
Other Donor Activities.....	131
Proposed New Project Activities.....	134

Appendices

1. The Mid-Term Review Team
2. List of Persons Consulted
3. List of Documents Consulted
4. Acronyms

EXECUTIVE SUMMARY

Project Design

* As one of the first major USAID DG initiatives in Africa, the Zambia Democratic Governance Project (hereafter "the Project") is an important venture into a challenging new area of assistance programming. Because in 1992 USAID's strategy and capacity for DG work in Africa was formative, the project was designed as a flexible "learning process approach" tailored to the pioneering nature of the initiative. USAID/Z Project personnel have since shown resourcefulness in adapting Project activities and management to the evolution of both the Zambian political context and USAID/W's DG strategy.

* By virtue of the Project, USAID has become the lead donor in the democratic governance field in Zambia. It has by far the largest and most comprehensive DG portfolio of any multilateral or bilateral agency resident in Lusaka. The Project works directly with the premier Zambian institutions in the DG sector, from the Cabinet Office on the governmental side, to the Foundation for Democratic Process, a nationwide volunteer network on the civil society side.

* The 1992 Project design team identified an appropriate mix of activities that approach the Project purpose from a variety of convergent angles. The Project addresses:

(a) the liberalization of the overall **legal rules** for democratic governance (through constitutional reform);

(b) the strengthening of **demand** for accessible democratic government through citizen participation and free expression (see the civic education and media independence components);

(c) the **supply** of effective governance within governmental institutions (via the policy coordination and legislative performance components).

* This range of activities amounts to a portfolio, not simply a project. The diversity of components within the Project has had both benefits and drawbacks. Because all the assistance eggs were not placed in one basket, occasional blockages or setbacks in one component have not prevented other components from making progress. On the other hand, the sheer range of Project activities has stretched USAID/Z management capacities and posed challenges of Project integration.

* The Project was demand-driven from the outset. Zambian partners initiated requests for assistance and actively participated (or were at least consulted) in Project design. As a result, Zambians have generally taken ownership of individual Project components, notably in the Cabinet Office and ZAMCOM. The Speaker of the

National Assembly ultimately disassociated himself from Project goals (though support remains among reformist MPs) and the ownership of the national civic education campaign remains blurred between FODEP and its contractors.

Project Purpose

* By mid-June, 1995 (two and a half years after Project start-up) results related to Project purpose were being achieved at a level and with a timeliness appropriate to this relatively early stage of the life of the Project.

* Four out of the five Project components have made progress towards intended results and the fifth has been suspended, correctly in the Review Team's judgement. The status of each Project-funded activity can be summarized as follows:

(a) Constitutional Reform. The Constitutional Review Commission (CRC) completed a nationwide series of public hearings and issued a draft constitution on June 16, 1995.

(b) Civic Education. Despite slow institutional growth at its National Secretariat, FODEP has built a cadre of volunteer trainers to conduct a mass civic education campaign.

(c) Media Independence. The media independence component has begun to increase the professional skills of Zambian journalists and contributed to policy dialogue leading to media law reform.

(d) Legislative Performance. In the wake of the National Assembly's failure to meet an agreed condition precedent, USAID/Z has withdrawn support from the legislative performance component.

(e) Policy Coordination. The Project has established a policy analysis and coordination unit in the Cabinet Office and introduced efficiencies into the conduct of Cabinet affairs.

* As of June 2, 1995, a total of \$15,000,000 had been authorized in Life-of-Project funding, of which:

- (a) \$10,989,165 had been obligated;
- (b) \$6,750,278 had been earmarked for specific components;
- (c) \$6,334,214 had been committed to contractors and partners;
- (d) \$2,901,783 had been accrued as expenditure; and
- (e) \$8,087,382 remained in the pipeline.

Project Management

* The Project was assessed, identified, designed and approved in an unusually short six-month period between March and September, 1992. In contrast to DG efforts elsewhere in Africa, implementation of the Project started from "day one" using existing Mission management capabilities. The pace of Project implementation, however, only began to accelerate with the arrival at post of the Democracy/Governance Advisor (DGA) in March 1993 and the establishment of the Project Administrative Unit (PAU) in June 1994.

* A major design flaw in the Project Paper was the inadequate attention paid to institutional arrangements and practical mechanisms for Project implementation.

* As a result, USAID/Z took expedient decisions to ensure Project start-up which in turn have generated enduring implementation problems. For example, before the establishment of the PAU in June 1994, USAID/Z was unable to respond promptly to urgent requests from project partners for disbursement of small amounts of committed Project funds. This problem persists for those components of the project (constitutional reform and policy coordination) which are managed directly out of the Mission by the DGA.

* Generally speaking, there were substantial delays in the procurement of Project inputs, including commodities and technical assistance, required for the long-term implementation of the Project. Expediencies in the early days, many now corrected, led to occasional instances of low quality contractor performance.

* The DGA brought political science expertise to USAID/Z, a new capacity that has proven essential in policy dialogues on sensitive DG issues with the GRZ. The DGA's strong performance has nevertheless been sometimes constrained by having to play the dual role of policy advisor and Project administrator. He needs staff support.

* The establishment of the Project Administrative Unit (PAU) has provided high-quality managerial competence which has energized and professionalized Project implementation in civic education and media independence components.

* All told, the Mid-Term Review Team has a positive assessment of progress toward Project purposes. Although slow to hit full stride, the Zambia DG Project is now making major and critical contributions to the consolidation of democratic institutions and processes in Zambia. Much of the credit for nurturing the Project into a well-above-average assistance effort, and a leading DG initiative in Africa, must go to the PRM, DGA and COP/PAU.

- Assuming the political context does not change, we anticipate that the pace of Project implementation will continue to accelerate.

* On the basis of this positive evaluation, the Mid-Term Review Team recommends (a) the elevation of the DG Project from a target of opportunity to a strategic objective in USAID/Z's country program strategy and (b) a supplementary redesign by the end of September 1995 to introduce several new elements into the Mission's significant DG portfolio.

- * The main recommendations emerging from this Review are summarized in the next section. The Review Team estimates that all recommendations concerning existing Project components can be implemented within the authorized Project funding level of \$15m.

MAIN RECOMMENDATIONS

USAID DG Strategy

- * USAID/Z should raise the status of the Zambia Democratic Governance Project in its country program strategy from a Target of Opportunity to a Strategic Objective.
- * USAID/Z should revise the Project's logical framework with the objective of identifying more suitable program outcomes and indicators.

Constitutional Reform

- * If the GRZ impedes the public dissemination of the Constitutional Review Commission's report and draft constitution, USAID should determine to suspend further support for the constitutional reform process.
- * USAID/Z should work with other donors both to persuade the GRZ to secure funding to help Zambia form a constituent assembly and/or hold a referendum to deal with the official CRC draft constitution.

Civic Education

- * The Project Administrative Unit (PAU), in consultation with USAID/Z, should advise the Foundation for Democratic Process (FODEP) of the specific preconditions required for FODEP to qualify for grant funding and prepare FODEP to meet these requirements by January 1, 1996.
- * Conditional upon the foregoing institutional strengthening, the PAU should transfer operational responsibility to FODEP for future civic education workshops.
- * USAID/Z should authorize PAU to expend Project funds on identity cards, simple training materials, and basic transport costs for civic education activities at community level (together with a control system for the strict management of these resources).
- * USAID/Z should expand the Civic Action Fund program, as demand, resources, and PAU management capacity permit.
- * USAID/Z should finalize the MOU and subcontract for civics education in secondary schools in order that implementation of the workplan can start on schedule.
- * USAID/Z should fund (or encourage the U.S Embassy or another donor to do so) a short-term technical assistant to help FODEP

prepare a proposal for election monitoring and organize refresher courses for election monitors and election report writers.

Media Independence

* Upon the attainment of the condition precedent on the institutional autonomy of the Zambia Institute for Mass Communication, USAID/Z should fund the establishment of the planned Media Resources Center.

* USAID/Z should streamline procurement so as to speed implementation of activities in the media independence component.

* USAID/Z should enable the DGA to engage more actively in policy dialogue on media independence, among other policy areas (see first recommendation on Project management below).

Legislative Performance

* USAID/Z should transfer funds from the legislative performance component to the Civic Action Fund with a view to sponsoring one or more small grants competition(s) for NGOs with programs to promote the responsiveness of MP's to constituents.

* USAID/Z should include in the scope of work for project redesign an analysis of the feasibility of transferring the legal drafting fund to a private or non-profit entity within Zambia.

Policy Coordination

* USAID/Z should identify the existing and the new skills needs of the Policy Analysis and Coordination Division (PAC) in the Cabinet Office and commission contractors and PAC to draw up a comprehensive Training Plan.

* USAID/Z should make concerted efforts to facilitate the training of PAC staff in policy formulation and analysis, especially through rotational medium- to long-term institutional training in the region.

* PAC should create and fill the post of Principal Policy Analyst/Legal within PAC's Domestic, Regional and International Affairs Desk.

* PAC leadership, with the full participation of all PAC members, should investigate the current internal organization and procedures, and devise the optimum ways of managing all the work that the Division is expected to carry out.

Project Management

* USAID/Z should provide administrative support to the Democracy/Governance Advisor (DGA) within the USAID/Z Mission, either (a) by filling the D/G Project Manager position as described in the Project Grant Agreement, or (b) allocating to the DGA at least 50% of the time of an Assistant Project Manager under engagement by Personal Services Contract.

* USAID/Z and the PAU should examine, during the course of preparation of the next year Work Plan and/or during mid-term redesign of this Project, the extent to which the clearance procedures under the "substantial involvement" provisions of the Cooperative Agreement can be streamlined.

* USAID/Z should seek to correct the perceived imbalance in Project expenditures, according to which U.S.-based contractors apparently have received to date considerably more budgetary resources than have individual and institutional beneficiaries in Zambia.

* USAID/Z should require that the final evaluation team be composed of individuals with no previous involvement in the design or implementation of the Project.

Gender Issues

* USAID/Z should urge PAC (Cabinet Office) and ZAMCOM to give greater attention to gender considerations in personnel and TA hiring decisions and in the substance of policy analysis and training.

* The DGA should include a discussion of ongoing efforts to address gender issues in Project implementation as part of normal PIR reporting.

Project Coherence

* The planned Project Management Board should be allowed to lapse. In its place, the DGA should use his new opportunities for policy dialogue (see first recommendation on Project management above) to foster Project synergies as and when needed.

* USAID/Z should allocate a fund (possibly from PDS resources) for the use of the DGA in breaking minor Project constraints and encouraging linkages among participants from different Project

components.

Proposed New Project Activities

* USAID/Z should commission a supplementary Project redesign for approval before September 28, 1995 (the Project's third anniversary). Because the Project is generally proceeding well, and its goal and purpose should remain unchanged, the Review Team considers that redesign can be accomplished through amendments to the Revised Amplified Project Description or through Project Implementation Letters, rather than by commissioning a full-blown Supplementary Project Paper.

* The redesign team should develop Project activities in several areas of need identified in the course of the Mid-Term Review. These are, in recommended priority order: (a) electoral reform and voter registration (b) the rule of law and law reform (c) decentralization and local government and (d) women's rights.

* In order to build upon lessons learned in the course of this Review, the DGA REDSO/ESA should lead the redesign team, assisted by a PDO.

INTRODUCTION

Project Description

The Zambia Democratic Governance Project is a five-year, \$15 million activity designed to promote accountable government in Zambia. A Project Agreement was signed between USAID and the Government of the Republic of Zambia on September 28, 1992.

As one of the first major USAID DG initiatives in Africa, the Zambia Democratic Governance Project is an important venture into a challenging new area of assistance programming. Because in 1992 USAID's strategy and capacity for DG work in Africa was formative, the project was designed as a flexible "learning process approach" tailored to the pioneering nature of the initiative. USAID/Z Project personnel have since shown resourcefulness in adapting Project activities and management to the evolution of both the Zambian political context and USAID/W's DG strategy.

By virtue of the Project, USAID has become the lead donor in the democratic governance field in Zambia. It has by far the largest and most comprehensive DG portfolio of any multilateral or bilateral agency resident in Lusaka. The Project works directly with the premier Zambian institutions in the DG sector, from the Cabinet Office on the governmental side, to the Foundation for Democratic Process, a nationwide volunteer network on the civil society side.

The Project comprises five mutually reinforcing components:

* The Constitutional Reform Component supports the work of the Constitutional Review Commission (CRC) appointed by the President of Zambia in October 1993. The Project provided funds for an inaugural meeting of the CRC, the establishment of a CRC Secretariat, and advertizing for provincial CRC hearings. It is expected to underwrite the costs of printing and dissemination of the Commission's draft report to the nation and ultimately for printing and dissemination of the new constitution.

* The Civic Education Component comprises a series of activities: (a) institutional support to the Foundation for Democratic Process (FODEP), a civic education NGO (b) assistance to FODEP in carrying out a nationwide civic education campaign (c) the Civic Action Fund (CAF), which is a competitive small grants program for NGOs, and (d) support for a new civics education curriculum and texts in government secondary schools.

* The Media Independence Component aims to enable independent and professional journalism by funding policy studies, short- and long-term training for media specialists, and a resource center for independent journalists. Participating institutions are the Zambia Institute for Mass Communications (ZAMCOM) and the Department of Mass Communications, University of Zambia (UNZA). Support for the media resource center is conditional upon the devolution of ZAMCOM from the Ministry of Information and Broadcasting.

* The Legislative Performance Component is intended to enhance the effectiveness of the National Assembly. In the first phase, a Legislative Performance Studies Group within the Assembly was to prepare recommendations for institutional reform for adoption by the Office of the Speaker. Conditional on the Assembly's acceptance of these reforms, a second Phase would provide support for Assembly staffing, library and publications and for a legal drafting fund.

* The Policy Coordination Component is to facilitate the creation of a Policy Analysis and Coordination Division (PAC) in the Cabinet Office by providing short-term technical assistance, training workshops, study tours, and computer equipment. The purpose of PAC is to improve the analytic quality of Cabinet memoranda and minutes and to monitor the implementation of Cabinet decisions in line Ministries.

The Project is managed in Zambia by a Democracy/Governance Advisor (DGA) within the USAID mission, by an on-site contractor from Southern University (SU) through a free-standing Project Administrative Unit (PAU), and by various short-term contractors and subcontractors. Other US activities in democracy, human rights and governance are coordinated with the programs of other major bilateral and multilateral donors in the area, principally through an informal donor coordination group.

The Zambia Democratic Governance Project includes a comprehensive plan for monitoring and evaluation being carried out through a cooperative agreement with Michigan State University (MSU). Elements of this plan include evaluation studies (baseline, mid-term, and final), special studies (on topics related to democratic consolidation in Zambia), and training of US and Zambian graduate students in DG monitoring and evaluation methods.

This Mid-Term Review was scheduled for half way through the life of the Project. It occurred from May 22 to June 15, 1995. The Review was conducted by a seven-person Team whose composition and assignments are listed in Appendix 1.

USAID DG Strategy

The Zambia Democratic Governance Project is one of the few DG projects in Eastern and Southern Africa that has been large enough to embrace almost all the key program elements identified in AID/Washington DG strategy. Along with the Ethiopia and South Africa projects, the Zambia Project is more energetic than any other in the region in supporting democratization and transparent governance, one of AID's four principal programmatic objectives.

The Project touches on each of the main goals of democratic governance that AID seeks to advance (Technical Annex C, USAID Strategy, June 6, 1994). Prior to the project, the U.S. actively supported Zambia's October 1991 multiparty elections, the first competitive poll in more than two decades. The project has supported the constitutional reform initiative as a means of enhancing the rule of law and fundamental human rights. The unique cabinet coordination component centers directly on transparency and accountability. Strengthening popular participation in decision-making is the underlying rationale for supporting media development and civic education. The civic education and constitutional reform components in particular address the issues of participation by women and minorities. All four elements address the objectives of improved access and governmental responsiveness. USAID support for constitutional reform concentrates on building policy dialogue between people and the Constitutional Reform Commission (CRC) on the design of the new constitution.

The Project addresses each of the underlying constraints to democratic governance recognized in AID strategy. Constitutional reform is indispensable to enhancing governmental legitimacy, while civic education is perhaps the most effective means of liberating individual and community initiative and increasing popular participation. The policy coordination component in the Cabinet Office seeks to streamline governmental performance at the highest levels, and in so doing is almost alone in the region in addressing the structural prerequisites for governmental effectiveness and accountability.

Within USAID/Zambia's Program Strategy, improved democratic governance is currently considered to be a "target of opportunity". The empowerment of people to participate effectively in the political process and economic policy formation is but one part of the strategic objective of "establishing a market-oriented economy with broad participation" (see USAID/Z, Assessment of Program Impact (API): FY 1994, released March 1995).

* The Team strongly recommends that USAID/Zambia raise the status of the project from a Target of Opportunity to a Strategic Objective. A project of this magnitude supporting one of AID's four central objectives globally deserves a correspondingly principal place in USAID/Zambia's strategy. Relegating the Project to a target of opportunity suggests that democratic governance is of secondary, transitory importance to Zambia's development when in fact the opposite is the case. The Team considers that Zambia presents one of the most promising settings in Africa for successful, long-term DG programming and urges the Mission directorate to adopt a ten to twenty year planning horizon. Moreover, assigning target of opportunity status to the project all but invites its elimination from the Mission's program in this season of draconian cuts in foreign assistance funding. The scheduled CPSP review or annual API review, both due in February 1996, would be appropriate occasions on which to upgrade the status of the DG Project in the Mission's program.

* The Team recommends that the Mission reconsider the Project's logframe with the objective identifying more suitable program outcomes and indicators. Program outcomes would replace targets, reflecting the Project's cardinal status as the means to realizing a strategic objective. Popularly legitimized constitutional reform should not be an indicator but a program outcome, and the indicators should center on the ratification process and the content of the document: human rights, electoral processes, checks and balances, the rule of law, governmental accountability, and local government. The existing indicators for improved policy implementation ["cabinet office re-organized" and "cabinet sub-committees functioning"] are vague and do not appear to reflect the key objectives of the policy coordination component. The media reform indicators should also be reviewed for relevance and specificity. The REDSO Democracy and Governance Advisor has volunteered to work with his Mission DGA colleague on the redesign of the Project's program outcomes and indicators.

Evaluation Framework

The Scope of Work for this Mid-Term Review of the Zambia DG Project gave the following terms of reference: "to assess progress towards Project goals and purposes, to consider whether the original Project rationale still holds, and to propose corrections to Project design if these prove necessary"

In compiling this report, each member of the seven-person Review Team followed a common format. In accordance with USAID evaluation handbook standards, we first present our findings of fact, then derive analysis from this empirical base, and finally present recommendations to address perceived problems or opportunities. Recommendations are highlighted in bold print, and the main recommendations are excerpted at the front of this report.

The Team asked the same evaluation questions about each Project component, as follows:

- * Was the initial Project design appropriate? Did the design team correctly identify priority opportunities for consolidating democratic governance? Did it choose and design the right Project interventions? Did it propose suitable institutional arrangements for Project management?
- * How have Project institutions developed since October 1992? What are the strengths and weaknesses of Zambian implementation structures in terms of capacity to conduct Project activities? For example, have there been changes in institutional mission, turnover of key personnel, or unforeseen internal shortages of human, financial, or material resources?
- * Have Zambians, especially in Project institutions, taken ownership of the Project? Are they informed about the Project purpose and activities and see these as their own? Who initiates Project activities?
- * Have Project inputs been delivered? Was delivery timely? Were they the right inputs? Have these inputs been deployed effectively and efficiently?
- * What are the outputs of the Project to date? Have contractors and Project institutions met their contractual obligations? What, if any, are the main bottlenecks in Project implementation?
- * What are the outcomes of the Project so far? Have target institutions and populations benefitted from Project activities? Have Project activities contributed to the Project purpose of making public decision-making more accessible and effective? If it is too early to tell, is there evidence that Project activities are likely to do so in the future?

* What is the overall assessment of contractor performance? Are contractors responsive to the needs of USAID/Z and Zambian counterpart institutions? Are systems adequate for monitoring and reporting on Project progress? Are they utilized? What constructive improvements for Project implementation can you suggest?

* Comparing performance with expenditures, is the Project operating cost-effectively? What economies could be sought? Are there sufficient funds remaining in contracts to complete planned activities?

* What design changes have already been made during Project implementation? Why were these adjustments made? Were decisions based on sound analysis?

* What further adjustments/mid-term corrections should now be made to the Project? Is a complete Project redesign called for? Or would marginal adjustments to existing activities be more appropriate? Precisely what changes are needed?

The Zambian Political Context, 1991-1995

As a newly democratizing country, Zambia has experienced both dramatic changes and persistent continuities in its recent political life. The Zambia Democratic Governance Project was designed in the immediate aftermath of the heady and historic transition of October 1991. When the country's founding father, Kenneth Kaunda peacefully accepted his ejection at the polls, and a new government was installed under the leadership of trade-unionist Frederick Chiluba, Zambia seemed set for a bright democratic future. Today the prognosis is more sober, as government and donors alike confront the realities of attempting to consolidate democracy in the context of a shattered economy, a radical adjustment program, a heritage of monopolistic political institutions, and a political culture with strong authoritarian tendencies.

The achievements of the Project to date must be appreciated and understood against the backdrop of these uncondusive continuities. Project progress must also be situated in relation to the emergence of new political constraints. These include intense factional struggles among top leaders of the ruling Movement for Multiparty Democracy (MMD) over democratic principles, the openness of Zambian society, and the spoils of political office. As a result, Zambians have witnessed since 1991 a gradual closing of the window of opportunity for political liberalization. Whereas Project implementation in Zambia started promptly compared to other USAID DG projects in Africa (see section on Project Management), it did not hit stride quickly enough to take maximum advantage of the opening for political reform that briefly presented itself immediately after the 1991 election. For these reasons, we begin this review with an account of the changing political context in Zambia, 1991-1995.

The Project designers made several assumptions about the Zambian political context that would have to hold if increased governmental accountability was to be achieved (see PP Logframe). From the perspective of mid-1995, three out of five of these assumptions continue to be fulfilled.

First, the Logframe assumed that the Government of the Republic of Zambia (GRZ) would "maintain its basic commitment to democracy, human rights, and the rule of law". Albeit equivocally, the GRZ had generally done so, with President Chiluba making repeated public affirmations of his government's adherence to constitutional democracy. While some of these pronouncements have clearly been made with a donor audience in mind, words have been backed, more often than not, with action. For example, the GRZ has stuck to a regular electoral cycle by holding scheduled local government elections in November 1992 and periodic parliamentary by-elections. Though not without foot-dragging, the government also presently seems likely to proceed with local government

elections scheduled for November 1995 and general elections by October 1996.

On the negative side, the government has not followed statutory procedures for keeping voters' rolls up to date, delaying voter re-registration so long that it will now be difficult to implement responsibly before the next elections. One could also question whether post-1991 by-elections have been fully free and fair. Election monitoring reports by the Foundation for Democratic Process (FODEP), a Project grantee, indicate that vote-buying and intimidation have not been eliminated from Zambian election campaigns. But, compared with polls held under the previous one-party regime, elections in Zambia are now genuinely competitive. The accession of candidates to parliamentary office through uncontested seats is now largely a thing of the past. Constitutional guarantees of freedom of association have been enforced, with more than thirty political parties now registered. While the authorities still use the Public Order Act (1955) to require and sometimes deny police permits for political meetings (a law recently challenged unsuccessfully in court by Kenneth Kaunda), opposition parties are otherwise generally able to disseminate their appeals to voters.

Freedom of expression is the most palpable outcome of Zambia's democratic transition. Previously, the UNIP government allowed only a limited number of state-run media outlets and exercised tight controls over editorial appointments and content. Under the MMD, Zambia enjoys a lively, independent, pluralistic print press whose purveyors eagerly dig into the real (and imagined) foibles of the official political elite. Even when provoked by personal attacks, the Chiluba government has shown reasonable restraint in its relations with the independent press. There have been occasional lapses in the government's treatment of The Post newspaper, including extra-legal interference to prevent the publication of particular issues. But, generally, the government has used the law -- for example by passing a Parliamentary and Ministerial Code of Conduct Act, 1994 or bringing civil defamation or libel suits -- to seek redress against irresponsible reporting. All told, Zambians no longer fear to express themselves and this must be counted as a significant advance over the previous political atmosphere in the country.

The most troubling setback on the human rights front was President Chiluba's declaration of a State of Emergency from March 4 to May 25, 1993. In retrospect, this government response to the discovery of a purported opposition plot looks like a heavy-handed overreaction, especially when reports were received of harsh mistreatment of political detainees (Africa Watch, 1993). But, compared with Kaunda's institutionalization of a permanent emergency, Chiluba used extraordinary powers briefly and surgically against just twenty-six alleged plotters; average citizens retained their newly-won freedoms of expression, association, and

movement throughout this period. No doubt there are Zambian leaders close to the center of power who favor strongarm tactics to maintain the MMD's grip on political office. But, on balance, there have been more advances than setbacks in political liberalization in Zambia over the past five years.

Other Logframe assumptions continue to hold. Despite occasional warnings about the dire consequences of a breakdown of public order by the Minister of Defence, the armed forces are not restive. Although poorly paid, the army is relatively well housed and equipped, and has so far remained under a semblance of civilian control. And, as assumed during Project design, other donors have supplemented USAID's assistance for strengthening governmental and civic institutions (for further details see section below on Other Donors).

By contrast, two Logframe assumptions have not been fully met. First, the GRZ's economic reform program has not generally provided "tangible improvements in mass living standards". To be sure, the IMF/World Bank has reported that MMD's far-reaching structural adjustment program seems likely to generate positive economic growth in 1995. And some of Zambia's delapidated roads, schools and clinics have been rehabilitated. Nonetheless, the GRZ's "cash budget" (adhered to until the second quarter of 1995) and tight monetary policy have constrained the growth response, especially in the agricultural and manufacturing sectors. The privatization of state enterprises and public service retrenchment (both proceeding slower than donors would like), along with the closure of uncompetitive private companies under the stresses of trade liberalization, have thrown significant numbers of people out of work. UNICEF estimates that 76 percent of Zambians -- some six million individuals, especially women and children -- now live in households with incomes below the poverty line. While price inflation has slowed under MMD, the cost of a basic basket of consumer goods still rose by 27 percent in the six months ended April 1995 (The SAP Monitor, April/May 1995).

The fact that many families can no longer afford regular meals or access to basic education and health services has potentially profound political consequences. Research studies conducted under the Zambia DG Project reveal that the Zambian electorate had extremely high expectations of material benefit from the 1991 democratic transition. The subsequent dashing of these expectations has led to declining support for the ruling party, growing cynicism that political leaders are living high on the hog, and increasing preference for "effective" over "elective" government (See MSU Working Papers Nos 4 and 7; also Bratton 1994). Many Zambians harbor an instrumental view of democracy in terms of which they judge the performance of political regimes in terms of their own personal economic well-being. This suggests that the consolidation of democracy in Zambia depends heavily on the rapid recovery of the economy and the broad distribution of the

benefits of growth.

The second unmet Logframe assumption is that "the people of Zambia (will) take advantage of a liberalized political environment to participate in elections and policy debates". Trends in indicators of popular participation are not encouraging. The voter turnout rate in the 1991 general elections was a disappointingly low 45 percent of registered voters; the average turnout in the November 1992 local government elections was just 14 percent; and in parliamentary by-elections it ranged between 7 percent (Lukashya, April 1994) and 39 percent (Chadiza, August 1992). Project-funded research suggests that voter turnout is higher when there is real political competition among contending political parties, among voters who listen to news broadcasts on radio, and among members of voluntary associations that provide civic education (Bratton 1994). It is gratifying that USAID/Z's DG portfolio addresses all of these concerns through support for media independence and civic education (under the Project) and political party strengthening (under a grant to the National Democratic Institute). The Mission also appears to be favorably disposed to extending assistance to enable the GRZ to undertake electoral reform and voter registration. But, until voter turnout is increased in elections, Zambians cannot be said to have claimed full control of their new democracy.

The Project designers were aware that the MMD came to power as a loose coalition of diverse interest groups drawn from business and labor, popular and professional sectors. But they underestimated the rapidity with which such internal cleavages would lead to the fragmentation of the ruling elite. The most striking political feature of the Chiluba government has been the instability of personnel at the top (Burnell, 1994). In the three and a half years since the government was installed, some sixteen Ministers have left the Cabinet, some through dismissal, others through voluntary resignation. The most sweeping Cabinet reshuffle occurred in April 1993 when the Ministers of Finance, Agriculture, Education and Mines were sacked and the Ministers of Legal Affairs and Information were demoted. And, significantly, the Vice-President and a second Minister of Legal Affairs left government in July 1994, both alleging corruption in high places. As far as can be told, these individuals had policy or personal differences with a powerful inner circle in Cabinet and at State House that has congealed around the President. From this and other similar events, it appears that economic and political "reformers" (including key Project interlocutors) have lost ground in power struggles with "hardline" conservative elements.

Factionalism within a political elite is not necessarily inimical to democracy. To the extent that it breaks up the monopoly of presidential power established under one-party rule, political competition can be healthy. The present regime vests more power in the Cabinet than in the Presidency, and Cabinet

Ministers enjoy unusual autonomy to form and announce policy (van de Walle and Chiwele, 1994; Burnell 1994). But taken to an extreme, factionalism can undermine the effectiveness of a government. Because powerful individual leaders can seemingly get their way, Chiluba has developed a reputation for political weakness and his government has become tarred with accusations of corruption. These issues came to a head in January 1994 when, under intense donor pressure, the Minister of Foreign Affairs and Community Development, and the Deputy Speaker of the National Assembly, were forced to resign under a cloud of allegations about international drug-smuggling.

Some political factions have broken away to form opposition parties. A mass defection of MMD MPs in August 1994 led to the formation of the National Party, a grouping centred at first on regional followings in Southern, Western and Northwestern provinces. The haemorrhage from the ruling party was stemmed when the Supreme Court ruled that MPs who "crossed the floor" would have to run for re-election, thereby risking their parliamentary salaries and perquisites. In the process, MMD demonstrated continued strength, winning 18 of the 29 by-elections held between 1992 and 1995. Accordingly, opposition challenges have often fizzled as breakaway leaders of parties like the Caucus for National Unity (CNU) and United Democratic Party (UDP) have been tempted back into the MMD fold with plum patronage appointments.

But these few instances of party coalescence have not offset the general trend toward elite fragmentation, driven not by policy differences but by a crass scramble for lucrative political office. All major political parties in Zambia are rent by serious internal divisions: UNIP is split over the second coming of Kenneth Kaunda (who regained the party presidency in late June 1995); NP changed leaders in April 1995, in the process alienating its Southern province constituency; and the MMD itself is experiencing leadership challenges by a small group of "young turks". The Chiluba clique has reacted impulsively, seeking to quash party upstarts with decrees, rule changes, expulsions, and the imposition of parliamentary candidates by the party's National Executive Committee. Such non-democratic practices within MMD are reminiscent of earlier authoritarian precedents set by UNIP.

In the absence of credible opposition parties, the quest for leadership accountability has been led by other countervailing forces. These include the independent press and civic organizations, whose presence is gradually becoming institutionalized. It is no exaggeration to assert that the independent press (even more than opposition parties or parliament) is the principal domestic force for governmental accountability in Zambia. More powerful still are the international donors. Zambia's crushing debt burden and heavy dependence on concessionary aid (which finances over 70 percent of the development budget) endows Lusaka's donor community with extraordinary influence.

Embassies and donor missions participate aggressively in public decision-making and the Zambian government now finds it necessary to report quarterly to the donor Consultative Group on good governance. Key events like the termination of the State of Emergency, the firing of key cabinet ministers, and the rescue of independent newspapers cannot be explained without reference to donor interventions. The fact that the defense of democracy is mounted in significant part from outside the country gives Zambian democracy a peculiarly extraverted and dependent character. As with all forms development, the challenge is to obtain internal sustainability.

As recommended by USAID/W's Democracy Center DG Guidelines, a country's overall commitment to democracy can be tracked by its ranking on Freedom House's Comparative Survey of Freedom. By this index, Zambia rose from an "unfree" country in 1990 (civil liberties score = 5, political rights score = 6) to a "free" country in 1993 (CL = 3, PR = 3). By 1994 Freedom House downgraded the country's score on civil liberties (CL=4) and its overall status to "partly free". The trend in these figures accurately portrays Zambia's recent democratic trajectory: a burst of political liberalization followed by a gradual, though not yet debilitating, erosion of democratic gains. Zambia remains a leading African example of an open and competitive regime. But, MMD leaders have come to enjoy the powers and rewards of political office. They can be expected to defend these personal gains with increasingly hardline tactics as the campaign heats up for the 1996 general elections.

PROJECT ACTIVITIES
CONSTITUTIONAL REFORM

Introduction

This Review of USAID's assistance to constitutional reform in Zambia, including its impact, is preliminary. Zambia's constitutional reform processes have not yet been concluded. The report of the Constitutional Review Commission (CRC) on its public hearings and its constitutional draft appeared only after the termination of this review. The current report on the contents of the draft constitution is based on a leaked draft, **unauthorized** by the Commission, which appeared in the press.¹ Moreover, at the time of writing, the processes by which the authorized CRC draft will be circulated, reviewed, adopted, and implemented had yet to be determined.

Background

Zambia's constitutional review process occurs against the background both of long term parameters of underdevelopment and near term political circumstances. The long term parameters are those of continued low levels of socioeconomic development and political-cultural values that are still in transition to those on which a democratic political order depends. The state of Zambian political culture is examined in the baseline beneficiary study conducted by Michigan State University under the Project. The recent political circumstances relate principally to Zambia's recent history of constitutional development

The constitutional reform process has been significantly influenced by the political transition to which it is intended to give shape and direction. The nature and degree of that influence has been at least in part a function of the length of the transition, now nearly five years old.² In its last days the

¹ The "unauthorized" draft considered in this review appeared on May 16 in a local Zambian newspaper. Unauthorized amendments appeared in the same paper on June 6. These unauthorized releases reflect a sharpening potential controversy between the CRC and the MMD over whether the public should have an opportunity to review the CRC's draft before it is reviewed and modified by the government. Similarly, controversy is surfacing over whether the CRC's draft should be reviewed and ratified by an MMD-led parliament or by a specially elected constituent assembly.

² Academic definitions of the term "transition" have varied. The narrow definition, and one generally employed in USAID literature, equates the term with conversion from one regime to its successor; e.g. from the Kaunda regime to the Chiluba regime. As

Kaunda government, responding to growing pressure for political change, initiated a transition to multi-party democracy. A commission, headed by Professor Patrick Mvunga, held hearings at provincial levels to receive proposals for a new constitution establishing a Third Republic. Its findings were presented to the government which produced a white paper (No.2 of 1991) to Parliament summarizing the Commission's recommendations and the Government's responses to them.

Parliamentary deliberation on these proposals led to adoption of the present constitution in July, 1991, on the very eve of elections which swept Kaunda's UNIP government from power and installed an MMD regime headed by Frederick Chiluba. A year later, in November, 1992, the then Minister for Legal Affairs, Dr. Rodger Chongwe, presented the new government's plans for launching another process of constitutional change. The MMD government believed that its predecessor had ignored many of the important recommendations of the Mvunga Commission and that the Commission itself had not fully canvassed public opinion on the subject. Thus, he proposed a seven-member commission of experts to produce a constitutional draft based on further public seminars and hearings. He stated that seminars would be concentrated on what he termed the political "hot spots" of Lusaka and Ndola. In his presentation he indicated that USAID had promised support for the new process.

Criticism in Parliament and elsewhere that the Zambian democratic renaissance necessitated a more representative constitutional development commission delayed work in this area for over a year. In September, 1993 the Chiluba government announced plans for an enlarged, 24-member CRC more broadly representative of Zambian society. President Chiluba subsequently added a 25th member in response to protests from women that they were inadequately represented. The Commission's terms of reference included "wide consultation with the public and relevant social, political, and economic groups on its terms of reference to ensure a high degree of public debate on constitutional proposals for a democratic Zambia".

Budget constraints both influenced the CRC's workplan and delayed its implementation. They led the Commission to decide to "tour only the provincial centers and selected districts". In choosing districts it decided that "concentration of population will be considered, but at least one remote district in each province should be covered". But these budget constraints appeared to be largely of the CRC's own making. Receipt of the 70% of CRC funding that was to be obtained from donors, including USAID, was delayed until early 1994 by the CRC's own failure to produce a

used here the term refers to a state transition; i.e. between constitutional orders--from the existing 1991 Zambian constitution to the ratification of its successor.

budget clearly linked to a detailed workplan.

The legitimacy of the enlarged CRC's efforts has been undermined by the very political culture that a new constitution should be an initial step in reforming. The media have exposed misconduct by some members who themselves lacked the discipline required by adherence to standards of transparency and accountability. Three such members were dismissed. Lack of popular trust in politicians, and political leaders who fuel that lack of trust, have been behind incessant complaints of biases in the CRC's composition. Such lack of trust combined with weak consensus on fundamental rules of the political game, itself attributable to long suppressed competition of ideas and interests, has produced serious conflict within the Commission. Among the issues generating this conflict: citizenship requirements for presidential candidacy, processes for adopting the new constitution, regionalism, proportional representation, whether cabinet members should be members of parliament, and advancement of women's participation in politics.

These difficulties, combined with widely publicized allegations and indications of official failure to enforce and uphold norms of transparency, have caused even some members of the Commission to question the efficacy of the constitutional reform process itself. They wonder whether the new constitution will really be durable and outlast the sponsoring regime, how much difference a new constitution will really make to political and socioeconomic circumstances of most Zambians, and how committed and capable the GRZ is to upholding and institutionalizing a new democratic order.

Donors themselves may not be immune from these doubts. One incident illustrates the basis for concern about donor commitment. Then Minister of Legal Affairs Ludwig Sondashi made a specific commitment to U.S. Ambassador Gordon Streeb that the CRC's official report would be released immediately and in full to the public. The report is to include both its official draft of a new constitution and the report of its public hearings conducted around the country. The objective was to create the perception as well as the fact of transparency in the constitutional review process; i.e., to allay popular suspicions that the draft had been "doctored" first by the government to protect its interests as the Mvunga report was widely perceived to have been. On the strength of that verbal commitment, the provision for direct, complete release of the CRC draft to the public was written into the amended Memorandum of Understanding between USAID/Zambia and the GRZ. Yet, despite a request from the Zambia US Mission to do so, the Department of State did not remind President Chiluba of this commitment when it had the opportunity to do so on the occasion of his visit to the United States.

The proof, however, is in the pudding -- and how the pudding is served. A good draft constitution that is released to the public immediately, accompanied by a vigorous civic education effort, and ratified by a constituent assembly and/or popular referendum will do much to dissolve the effects of the vagaries of the drafting process. Should this course of events occur, Zambians will be able to take pride in the democratic progress this constitutional process will then represent over previous constitutional exercises in 1964, 1972, and 1991. To this end, the CRC has made an important contribution by adhering to an ambitious schedule of public hearings around the country.

At the time of writing, the constitutional review process appeared to be embattled, with questions arising about disagreements among constitutional commissioners, alleged pro-government partiality of the drafting committee, and whether the draft constitution would be released to the public. Most of these concerns were laid to rest when the Commission released its report and draft constitution to the public on June 16, 1995, and presented both to the President three days later.

Project Design

The project goal, increased governmental accountability, is reflected in the project purpose: accessible, effective public decisionmaking. A liberalized Constitution of Zambia is one major output to be achieved in fulfillment of that purpose. Specified indicators for the realization of that output include a ratified constitution that adds new rights, adds new powers to the National Assembly vis-a-vis the executive branch, allows and yields increased citizen input, is widely circulated among the citizenry, and is conscientiously upheld by the GRZ. These changes were to be verified, respectively, by comparing the new and 1991 constitutions, perusing records of the CRC hearings, court records, and legislative debates and hearings.

Other elements of a liberalized constitution, in addition to new rights, might be added to the list of indicators; e.g. a more independent electoral commission, a more independent judiciary, and a democratic ratification and amendment process for the constitution. To these indicators and means of verification, one might also reasonably have added democratic political commitment and activity by civil society; e.g., local and national seminars and debates on policy issues during and between elections, media conduct and coverage of such debates, commentaries on issues by civic NGOs, and conducting and publishing the results of public opinion surveys.

The Project designers recognized the optimistic assumptions they imported: executive branch acceptance of judicial independence proven by the outcomes of test cases and public review of the constitutional draft. To these specified assumptions the

project designers might reasonably have added several others: citizen exercise of newly conferred constitutional rights, civic NGOs' successful exercise of their freedom to play political watchdog roles, media coverage and support for participatory democracy, a conscientious and effective CRC, the exercise of legislative initiative, commitment by all parties to democracy, effective opposition parties, and GRZ transparency and accountability.

The revamped plans for the constitutional revision process obliged USAID to enter into a revised Memorandum of Understanding (MOU) with the GRZ.³ In the amended Memorandum of Understanding, USAID funding of US\$390,000 represented approximately 28% of the total budget for the CRC, the GRZ's contribution approximately 29%, and the remaining 43% shared by other donors, principally the Scandinavian countries. The extent of USAID funding did not necessarily reflect its own budget constraints. Rather USAID appears to have concluded that shared exposure among the GRZ and other donors was appropriate given the controversy surrounding -- and, therefore, perceived uncertain prospects for -- the constitutional reform process.

The amended MOU contained a modified set of inputs. The approximate changed emphasis:

<u>Input</u>	<u>Original%</u>	<u>Amended%</u>
a. Technical assistance	40	0
b. Meetings/Provincial Tours	27	4
c. Printing/distribution	20	37
d. Commodities	5	21
e. Publicity/civic education	7	36
f. Audit	1	2

The changed input emphasis implied a change of tactical emphasis from supplying technical assistance in shaping the substance of the new constitution, including support for meetings

³. An outline of the sequence of events leading to this revised MOU is as follows. After Dr. Chongwe presented the original seven person team to Parliament in November, 1992, he subsequently proposed to enlarge the group to 15 or 20 in response to pleas for a larger, more representative group. Dr. Chongwe left office in April, 1993. The structure of the present CRC evolved under his successor, Dr. Ludwig Sondashi. The GRZ announced the composition and terms of reference of the present CRC in October, 1993. USAID funded initial organizational meeting of this CRC which took place shortly thereafter. When it became clear that the constitutional review process was to be substantially altered, USAID/Zambia began at that point to press the GRZ for a revised budget, and its delay in responding postponed signing of the revised MOU until early, 1994.

where the substance is considered, to dissemination of the product and civic education for the voters on the constitutional reform process and the content of the product. Although no technical assistance was provided under the amended MOU, it should be noted that USAID has nevertheless remained prepared, in spite of the new budget, to provide a constitutional expert which the CRC had initially requested. But the CRC has not followed through on this request with a budget and workplan, instead drawing on the technical assistance of a British consultant.

The changed array of inputs leaves them somewhat less well synchronized with the specified outputs and their indicators than the original array. Given the absence of technical assistance, none of the USAID/Zambia inputs relate directly to the expected output of a liberalized constitution, specifically the addition of more rights. While a liberalized constitution should facilitate more popular participation in political decision-making, the absence of USAID/Zambia direct support for the provincial hearings removes any direct relationship between the Project inputs and facilitating citizen submissions to the CRC. It should be noted, however, that the total package of support for the CRC, from other donors and the GRZ as well as USAID/Zambia, did include technical assistance, and USAID/Zambia took a leading role in putting this total package together.

On the other hand, the revised set of Project inputs implies considerably greater emphasis on an informed citizenry. This is certainly a key prerequisite for civil society's utilization of opportunities for improved access to political decision-making under a new constitution.

One may hypothesize that the implied change in USAID strategy with respect to the constitution review process reflected (a) a belief that the revamped process placed more emphasis on political than technical input and (b) uncertainties about the utility of a second set of country-wide hearings so soon after those conducted by the Mvunga Commission. On the former point, one may observe that technical assistance is even more vital for a commission, whose collective technical skills may be relatively low, in order to insure that raw citizen political input is given sound technical expression.

Project Results: Input Delivery and Output Production:

The constitutional reform component differs from others in that USAID did not engage a contractor or cooperator to deliver the inputs and promote production of the outputs. This decision placed a greater management burden on the Mission's Democracy and Governance Advisor (DGA). In the team's view, this drawback is more than counterbalanced by the advantages: effective use of the strong professional skills of its DGA and ensuring that policy decisions in this sensitive area have accurately reflected U.S.

foreign policy interests.

Input Delivery

Delays in input delivery are attributable to the GRZ rather than to USAID/Zambia'. GRZ failure to produce a well formulated budget, directly related to a tightly organized workplan, delayed USAID support for constitutional reform by several months during the first half of 1994. This delay followed an earlier one of more than a year resulting from the GRZ's decision to change the original design of the constitutional reform process.

The original design of the Project anticipated completion of the constitutional reform process within approximately one calendar year. This expectation has proved very unrealistic in practice for reasons explained above. Whether completion of the constitutional reform process in a single calendar year was appropriate in principle is an issue on which reasonable minds may certainly differ. Certainly, USAID's original expectations were tied to those of the GRZ itself and justified at least in part by USAID's confidence in the then Minister for Legal Affairs, Dr. Rodger Chongwe. USAID's confidence in the process was, thus, somewhat shaken by a cabinet reshuffle, early in 1993, that sent Chongwe to another ministry to be replaced at the Ministry of Legal Affairs by Dr. Ludwig Sondashi.

Chongwe has been only one of many reform-minded political leaders to depart, or be dismissed from, the Chiluba government. Continued lack of transparency and accountability has also become uncomfortably evident. The leadership transition and the lack of transparency have dampened initial popular enthusiasm for the democratic renaissance that might otherwise have fueled the process to its completion.

It could be argued -- quite easily in retrospect-- that both the GRZ and USAID/Zambia erred in not gauging fully the depth of Zambian popular desire to make a clean break with the political past. A GRZ plan from the outset actively to enlist widespread citizen input into the constitution reform process, with USAID/Zambia technical assistance, might have strengthened the new government's democratic credentials in the eyes of its constituents. Perhaps a new Constitution would then have been formulated, popularly ratified, and implemented by mid-1995.

For a while, an understanding contained in the amended MOU threatened to further delay, even shortcircuit, delivery of USAID's remaining support for the constitutional reform process. Members of the hardline faction surrounding the President argued that the CRC should report directly to the President without public dissemination; the GRZ would then later publish a White Paper containing the government's recommendations for constitutional

change. Under these circumstances, however, there would appear to be little likelihood that any draft constitution would achieve popular legitimacy unless it was released directly and in full to the public by the CRC. The previous Mvunga Commission, and therefore the resulting White Paper, were widely perceived to have ignored recommendations urged upon it at its own grassroots hearings. Moreover, there is some indication that the GRZ contemplated publishing only "highlights" of the hearings and of the official draft constitution it proposes to endorse.

It would be a poor use of USAID funds to support distribution of the CRC reports of its hearings and a draft constitution only after its editing by the GRZ, given the likelihood that the public will consider such a report to have been "doctored" and, therefore, illegitimate.

The MMD government might think its own interests served if suspension of USAID funding for distribution of the report and the official draft constitution resulted in their not being widely disseminated. But the MMD would also welcome USAID support for the distribution of a report and draft constitution that it has redrafted to suit what it might consider to be its interests in staying in power and limiting democratic political competition. However, it would **not** serve the best interests of either the people of Zambia or the United States for USAID/Zambia to take such a course.

*** If the GRZ impedes the public dissemination of the CRC's full report and draft constitution, USAID could determine to suspend further support for the process. It is the Team's judgment that USAID should suspend further assistance, at a minimum, for this component of the overall project if the GRZ fails to honor this previous commitment to its people and to USAID. As of June 16, 1995, the CRC appeared to have satisfied conditions for full public release, but this recommendation should be held in reserve should GRZ seek to restrict public involvement at later stages of the constitutional reform process.**

Over and above the distribution issue is the question of the process for the draft constitution's ratification which has yet to be decided: parliament, a constituent assembly, and/or a referendum. Those who are adamant that the CRC's report be released directly and in full to the public without prior GRZ editing are equally insistent that only a constituent assembly and/or referendum process will fairly reflect the true wishes of the people of Zambia. They do not believe that a parliament dominated by an MMD government can be relied upon for this purpose.

One might argue that Parliamentary review is consistent with the Westminster parliamentary tradition which is part of Zambia's colonial legacy. But Zambia's present 1991 constitution

is already a hodge-podge reflecting the influence of other presidential democratic traditions, notably those of France and the United States. More important, for the same reason that following the "White Paper" process will undermine the legitimacy of a CRC draft constitution, review and amendment of the official CRC draft by Parliament will also do so. Only a constituent assembly review of the CRC draft and/or a referendum, without GRZ or Parliamentary amendment, will establish the new constitution's popular legitimacy.

The total package of donor support for the constitutional review process does include provision for the ratification process. However, it would be advisable for USAID/Zambia and other donors to consider again whether the planned funding levels are adequate for a process that might potentially involve both formation of a constituent assembly and a popular referendum.

*** USAID should work with other donors both to persuade the GRZ to eschew following the White Paper process for ratification and to secure funding to help the Zambia form constituent assembly and/or hold a referendum to deal with the official CRC draft constitution.**

Project Output: A More Democratic Constitution?

The principal anticipated output of this Project component is a liberalized constitution. For reasons explained above, achievement of that output has been delayed. Thus, it is not possible to determine definitively whether USAID's support has helped achieve that result.

One may, however, make a reasonably informed prognosis about the likelihood that a liberalized constitution will be produced by the CRC and submitted to the Zambian people, assuming it is submitted to them by the CRC directly and in full. The basis of that prognosis is the unauthorized, apparently "leaked", early draft of a revised constitution that appeared in the May 16 issue of a Zambian newspaper. A comparison of this unauthorized draft and the present 1991 constitution follows.

*** It is the Team's judgment that, on balance, the unauthorized draft represents a significant improvement over the existing constitution in its incorporation of recognized, accepted democratic precepts.**

The improvement, however, is more pronounced in areas other than civil rights; e.g., an improved balance of power between the legislature and the executive branch.

Civil Rights

On the face of it, both the existing and unauthorized draft constitutions embrace comprehensive sets of civil rights that leave few major gaps. (A tabular comparison is attached at the end of this section) The unauthorized draft does make explicit some provisions that are at best left implicit in the existing constitution: press freedom, academic freedom, freedom to strike without loss of employment, compensation for unlawful detention and some socioeconomic rights (to a clean environment and equal pay for equal work). This draft states a specific 48-hour requirement for charging a detained person by contrast to the "reasonable" standard in the present constitution. It provides security for rights in times of national emergency while the existing constitution provides grounds for limiting rights in such circumstances. Finally, an important gesture in the unauthorized draft is its use of gender-neutral language in contrast to the existing document. More fundamentally, it includes a whole section on rights of women including maternity leave, property ownership rights for women, marital equality, and disallowance of customary practices that discriminate against women.

At the same time, certain basic rights appear inexplicably to have been left out of the unauthorized draft: freedom from double jeopardy and self-incrimination. Both the existing constitution and the unauthorized draft appear to leave out explicit provision of counsel for indigent defendants.

Both constitutions are comprehensive in banning discrimination in the enjoyment of rights on the base of race, creed, gender, etc., although the draft adds a protection for the physically handicapped.

In enforcement, the unauthorized draft appears to represent an improvement in providing the strong protection of a Constitutional Court. Moreover, this draft endows a human rights commission with powers to subpoena individuals and documents and to order remedies.

The problem comes in the area of limitations on the rights provided. Both the existing constitution and the unauthorized draft incorporate articles that shift the burden of proof for restricting the exercise of rights from the government to the individual. Although the language shifting the burden of proof in that wrong direction is far more extensive in the existing constitution (particularly with respect to qualifications on the right to hold private property), the basic effects would appear to be similar in the two documents. Specifically, both documents state that the "public interest" is grounds for restricting all the rights that are set forth. The problem is that a government can justify almost anything against that standard. While rights are not completely unqualified in any democracy, allowable

qualifications are narrowly cast in established democracies, either explicitly or implicitly. In the Zambian case, however, the vague, unbounded "public interest" standards provides no specific, tenable basis for a citizen to challenge governmental infringement of his/her rights.

Legislative strengthening

The unauthorized 1995 draft affords more power to the legislature vis-a-vis the executive branch than the existing 1991 constitution. The existing constitution essentially neglects to specify what powers the legislature is to enjoy, while the draft makes explicit provision for legislative scrutiny of all aspects of executive action and the implementation of legislation it passes. A symbolically important provision in the draft's chapter on basic policy commitments obliges the President to report annually to the legislature on progress in advancing these basic objectives. The unauthorized draft requires legislative concurrence on presidentially concluded international agreements where the existing constitution does not.

A potentially troubling provision, appearing only in the unauthorized draft, enables the president to "formulate the policy of the government." (87.2a). While not problematic on its face, the provision could be read to suggest that the National Assembly (and also the President's cabinet) need not be engaged in **initiating** policy.

Unchanged are provisions, somewhat reminiscent of the French Fifth Republic Constitution, that prevent the National Assembly from increasing budgets above what is submitted to it by the executive branch or reducing taxation except on the basis of an executive branch recommendation.

Elections

A very controversial provision of the unauthorized draft is one that requires that parents of presidential candidates be "Zambian citizens born in Zambia" (76b). This provision is widely viewed as intended to exclude former president Kenneth Kaunda from again seeking the post.⁴ Its effects are very broad, however, in a country where many citizens have roots in neighboring countries, notably Zaire, Malawi and Zimbabwe.⁵ It is hard to escape the

⁴. A provision retroactively barring anyone from seeking more than two terms as president has been interpreted in the same fashion.

⁵. One prominent female political observer has suggested than another motivation underlying this provision is to make it more difficult for women to seek the presidency, the argument being her

conclusion that this provision is deliberately illiberal and retrograde.

The unauthorized draft also adds a "good character" requirement for candidates, the definition and determination of which it leaves unspecified. The existing constitution omits this requirement.

On the positive side, the unauthorized draft introduces the possibility for citizens to recall their elected parliamentarians for poor performance, one of the first such provisions in Eastern and Southern Africa. It requires presidential candidates to be nominated by at least 100 citizens of each province by contrast to a mere 200 nationwide in the present constitution. Candidates for vice president must run with their presidential candidate partners and possess the same qualifications, as in the American constitution. By contrast, the existing Constitution allows the President to pick whomever s/he wants from among the members of Parliament. The unauthorized draft also eliminates presidentially appointed members of the National Assembly.

A key, and controversial section, prohibits cabinet ministers and assistant ministers from sitting simultaneously as voting members of the National Assembly. MPs chosen for ministerial posts must resign their seats, another parallel to the present French Constitution⁶. Prior to the 1991 election, MMD argued vigorously that this provision would be undemocratic because it feared that then President Kaunda would frustrate the voters wishes by appointing non-parliamentarians to cabinet office. In this the MMD was envisaging a situation where Kaunda might be reelected while his party lost its majority in Parliament. The rationale for this provision now is that, by depriving a president of large bloc of guaranteed votes in parliament provided ministers of his own party, the President will need to work harder for his/her National Assembly majorities.

Particularly significant is the unauthorized draft's provision for a permanent, independent electoral commission by contrast to the existing constitution which allows only for electoral commissions established at presidential discretion.

belief that more women than men have recent roots in neighboring African countries.

⁶ The eventual official CRC draft might also follow the French Constitution in having each candidate run with a replacement who would assume the seat should the candidate be named to the Cabinet or otherwise be unable to remain in office.

Executive branch

A very troubling provision of the unauthorized draft may simply be poorly written. As it stands, however, it sharply limits eligibility to serve in high executive positions. It states that "A person who has contested and lost in **any** [emphasis added] election to the National Assembly or office of President of in local government elections shall not be appointed a Minister of Assistant Minister" (100.3). What may be meant is that appointment of one who has lost the **most recent** national elections cannot be so appointed. That would be an understandable measure to prevent frustration of citizens' electoral judgments. But presently it disqualifies anyone who has **ever** lost such an election!

The **unauthorized** draft gives constitutional authority to the Public Service, Teaching, and Industrial Relations Commissions where the existing constitution does not. This draft strengthens the professionalism of the civil service in requiring permanent secretaries to be appointed by the Public Service Commission. The unauthorized draft also creates a strong parliamentary ombudsman where the existing constitution makes only vague provision for someone called an "Investigator-General".

Judiciary

The most important advance of the unauthorized draft over the existing constitution in the judicial area is the provision which requires Judicial Service Commission consultation as well as National Assembly confirmation on high judicial appointments. Similarly, the initiative in considering and ordering the removal of judges rests with the Judicial Service Commission rather than with ad hoc commissions appointed by the president at his/her discretion.

Decentralization and Local Government

Except for a provision that the National Assembly may establish taxing authority for local government, the existing constitution provides no recognition of subnational governments. By contrast the unauthorized draft provides constitutional support for traditional authorities and customary law, including the creation of a weak but symbolically important House of Chiefs.

Far more important, is explicit language in the unauthorized draft mandating "decentralization" that is among the most explicit found in any constitution in Eastern and Southern Africa. Although the unauthorized draft states in the preamble that Zambia is a "unitary" state, its section 181b stipulates that "decentralization shall be an objective applying to all levels of local government and, in particular from higher to lower local government structures." It further directs that the system the National Assembly establishes shall "enable each level of local

government to plan, initiate, and execute policies in respect of all matters affecting the people within their jurisdictions, (181d), [including a] sound financial base with reliable sources of revenue." (181f)

Implementation, Assumptions, Cost Effectiveness

With the delivery of its report and draft constitution on mid-June 1995, the CRC kept fairly closely to the revised schedule agreed with USAID/Z in early 1994.

A review of cost factors is premature since the most Project outputs have yet to be delivered. More than two-thirds of \$390,000 budget for this component is "back-loaded" onto publication, dissemination and civic education activities that will follow the adoption of a new constitution by the GRZ.

The Team finds that DGA has been both effective and efficient in quarterbacking the Mission's support for constitutional reform. He is clearly held in high regard by the Zambians and other donors with whom he has worked. His academic background has served him well and has, indeed, been indispensable in guiding implementation of this as well as other components of the Project. His project reporting in this area has been clear, well organized, informed, and comprehensive.

Zambian Ownership

"Ownership" is a matter of definition. At one level there can be no question whose process the constitution reform has been: it has been Zambian. USAID and other donors have so far generally avoided creating an impression that the process has been donor-driven. Popular insistence that the process be broadened to include broader societal participation in drafting was strictly a Zambian initiative that USAID and other donors did not anticipate or request, but to which they have adapted gracefully. Moreover, the CRC vigorously rejected assistance from a non-Zambian constitutional expert whom the CRC felt the Minister had attempted to impose on it.

At another level, the *quality* of Zambian ownership is yet to be determined. While the CRC has followed its schedule reasonably conscientiously, it has been tarnished by the misconduct of some of its members and perhaps weakened by the lack of expertise of at least some of its members.

Moreover, "ownership" must be distinguished from "partnership". Here the Zambian record has left something to be desired, notably in delayed responses to appropriate donor requests for proper budgets and scopes of work needed to release funding.

Partnership and ownership, however, come together on the ratification issue discussed above: whether the GRZ will honor its commitments to the donors to allow the Zambian people as a whole to take ownership of the constitutional document drafted on their behalf.

Conclusions:

For the reasons explained above, conclusions are somewhat premature regarding the constitutional reform component of the Project. Everything hinges on the quality of the official draft constitution released by the CRC after the Review Team had disbanded (and whose provisions may differ in some respects from the unauthorized draft analysed here). Important too, is the government's official reaction to the CRC's report and the extent to which it accepts or rejects particular constitutional provisions. And most critically, the process by which any draft is ultimately ratified, and the role of Zambian citizens in this process, remains unclear.

Design

While the constitutional reform component is, in general, appropriately designed, three weaknesses have been noted. First, given initial anticipation that the constitutional reform process would be completed within one calendar year, the original design should have looked ahead more clearly to anticipate assistance in implementing the new constitutional order. One such area is the ratification process which the Project Paper did not adequately anticipate and which is of vital importance to real democratization. Another implementation area potentially qualifying for USAID assistance would have been -- and still is -- law reform. The identification and reformulation of legislation on the books that is inconsistent with a democratic constitution is essential if a new constitution is to have any meaning for its citizens. Also, civic education modules specifically explaining basic provisions of the revised draft constitution, as prepared by the CRC, will still be needed. This will be important in order to equip citizens to vote knowledgeably on ratification of a draft and/or effectively lobby a constituent assembly charged with that task.

Second, as noted above, there appears to be a technical lack of fit between the scheduled inputs and the anticipated outputs. Third, --also noted above-- more indicators, verification measures, and assumptions appear appropriate than were set forth in the design.

Outputs

The principal output, a liberalized constitution, is still being formulated. Assuming that the published, apparently

"leaked" and unauthorized version is an accurate indication of what was published on June 16, 1995, it is the team's provisional judgment that the draft constitution represents a significant improvement on the existing one in terms of its incorporation of accepted democratic precepts. Although the addition of new rights is the principal indicator specified in the Project Paper, the draft's improvements are more clear cut in other areas: (a) legislative strengthening, (b) electoral accountability to citizens, (c) decentralization, (d) creating an independent judiciary, and (e) making the executive branch more professional, accountable, and transparent.

Significant drafting and editorial lapses in the published unauthorized draft document may be corrected in the final draft. A politically sensitive, but urgent and immediate, need has been for some technical assistance to the CRC to clean up these quite easily corrected flaws. Fortunately, the CRC has obtained the services of a British lawyer for this purpose, and it is therefore reasonable to hope that the official draft reflects his recommendations.

Implementation

Given the vagaries of GRZ planning for the constitutional reform process, USAID/Zambian implementation of this Project component has been competent, effective, efficient, and admirably flexible.

COMPARISON OF RIGHT CONFERRED
BY EXISTING AND UNAUTHORIZED DRAFT ZAMBIAN CONSTITUTIONS

<i>Rights Conferred to/from</i>	1991 Constitution	Draft Constitution
<i>general</i>		
life	x	x
liberty	x	
property		x
security of person	x	
dignity/reputation	x	x
from corporal punishment		x
<i>expression/thought</i>		
thought	x	x
conscience	x	x
expression/speech	x	x
press		x
--journalists' sources		x
academic freedom		x
to culture		x
to receive information	x	x
<i>assembly/association</i>		
assembly	x	x
association	x	x
--esp. party	x	
--esp. union	x	
to strike		x
to lockout		x
<i>movement</i>		
movement	x	x
--reside anywhere	x	x
--leave/return to Zambia	x	x
--to passport		x
<i>religion</i>	x	x
practice religion openly	x	x
from compulsory religious obs	x	x
x minor	x	
to receive/provide religious	x	x
instruction, social services		
<i>political action</i>		
demonstration		x
to vote		x
be elected		x

	1991	Draft
<i>privacy</i>		
from telephone taps		x
home and property privacy	x	x
from unlawful search/entry	x	x
<i>legal protection</i>		
protection of law	x	
equality before law		x
due process		x
<i>fair trial</i>	x	x
inform of reasons for arrest	x	x
habeas corpus	"reasonable"	48 hrs
judgment within 30 days		x
no ad hoc courts		x
comp. for unlawful arrest		x
to representation by counsel	x	x
trial by independent court	x	x
due process	x	x
from loss of life		
w/o sentence	x	x
from loss of property	x	x
w/o sentence		
from ex post facto	x	
from double jeopardy	x	
from compelled	x	
self-incrimination		
to open trial	x	x
except by mutual consent		
but exclude parties in pub. int.		x
recovering of damages for unlawful		x
detention		
administrative justice		x
<i>non-discrimination</i>		
race	x	x
place of origin	x	x
political views	x	x
color	x	x
creed	x	x
sex	x	x
marital status	x	x
physical incapacity		x
<i>women</i>		
banning customary discrimination		x
access to property ownership		x
maternity leave		x
marital equality		x

	1991	Draft
<i>children</i>		
unborn child(Parl. conditions)	x	x
from exploitation of young(15-)	x	x
equal rights with adults		x
juvenile trial,incarceration rights		x
basic education		x
identity: name and nationality		x
parental care		x
 <i>from servitude</i>		
from servitude	x	x
from forced labor	x	x
from torture	x	
from cruel punishment	x	x
 <i>socioeconomic</i>		
equal pay for equal work		x
fair labor conditions		x
affirmative action		x
for children		x
to clean environment		x
from loss of property	x	x
without compensation		
 <i>emergency</i>		
special rights protections	no	yes
during		
special rights limitations	yes	no
during		
 <i>enforcement</i>		
high court/const court		x
no appeal of frivolous	x	
no appeal before law enacted	x	

CIVIC EDUCATION

The civic education component comprises USAID assistance to a series of interrelated activities:

- * Institutional strengthening of the Foundation for Democratic Process (FODEP) to enable its transition from an election monitoring NGO to a civic education organization;
- * A national outreach Civic Education Program operated by FODEP;
- * A Civic Action Fund administered by the project Administrative Unit (Southern University) to award small grants to Zambian NGOs on a competitive basis;
- * Development by the Ministry of Education of new civics education curricula and materials for secondary schools.

Civic Education Program: FODEP

The Project Paper identified FODEP's main asset as a nationwide network of volunteers in non-governmental, church and community organizations. This network had been mobilized to monitor the 1991 general elections and had performed an effective watchdog role. The Project proposed to assist FODEP in launching an initiative in civic education, a function considered vital to the consolidation of Zambia's fragile new democracy.

At first, Zambia's national civic education program was slow to get off the ground. USAID/Z's March 1993 MOU with FODEP included provisions for the development of training materials and for workshops to reach out to citizens. Yet, for several reasons, FODEP did not immediately take full advantage of opportunities available under the Project. Perhaps, as with other NGOs in Zambia's voluntary sector, FODEP experienced a post-election let-down. Certainly, time was needed for the organization to reorient and expand its mission. While the then National Coordinator of FODEP was involved in designing the Project's civic education program during 1992, he was unable to induce more than perfunctory and belated involvement from members of the FODEP Board.

In addition to these early doubts about its leaders' commitments to civic education, FODEP experienced major teething troubles in establishing itself as a formal organization during 1992 and 1993 (see next section). The fundamental problems, which remain today, were that the FODEP National Secretariat lacked the human resources, both in terms of numbers and skill levels, to effectively manage the organization's head office, field program and financial accounts. Together, these obstacles delayed the take-off of civic education.

Three Project innovations eased these constraints. First, FODEP convened its first National Convention in March 1994 at which delegates from all of Zambia's provinces resolved that civic education was an organizational priority. The Institute for Development Research, a Project contractor (see next section), played a vital role in facilitating this participatory event and helping FODEP adopt a constitution and strategic plan. By May 1995, the President of FODEP offered the unprompted assurance that civic education was now FODEP's "priority number one". Other Board members reiterated that FODEP's evolution into a civic education organization was "a natural progression" that came as much from within as from donor prompting.

Second, the Southern African Consulting Group (SACOG) was recruited to assist FODEP in developing curriculum and teaching materials for civic education. Although the decision to adopt SACOG was taken hurriedly, as a last-minute substitute for IDR in August 1994, it was a fortunate one. SACOG's Managing Partner, Dr. Kasuka Mutukwa, has strong political science credentials and considerable experience in the management of training institutes and NGOs in Africa. The FODEP Board strongly endorsed Mutukwa's candidacy, its President noting that "Dr. Mutukwa's leadership will enable the workshop(s) to be for and by Zambians; he will get an opportunity to share his international experience with his own people." Certainly, the application of Mutukwa's knowledge and skills -- along with those of FODEP co-facilitators Alfred Chanda (human rights) and Christine Ng'ambi (gender issues) -- has led to a professionalization of FODEP's civic education curriculum.

Third, soon after the establishment of the PAU, Southern University enabled FODEP to convene its first national Training of Trainers workshop at Siavonga in August 1994. A core team of 32 trainers received instruction on how to conduct a national campaign on "the rights and responsibilities of citizens". Using a workplan designed with IDR and with major operational support from the PAU, FODEP followed this national gathering with a cascade of provincial and district workshops at which FODEP facilitators and newly trained civic educators in trained volunteers for community-level outreach. Between September 1994 and February 1995, five-day provincial training workshops were held in each of Zambia's nine provinces, involving a total of 240 participants (See Table over). The majority of provincial trainees were teachers, churchfolk, and NGO leaders, including some who belonged to organizations receiving small grants from the Project's Civic Action Fund (see section below). Between October 1994 and March 1995, two-day district training workshops were held in 31 of Zambia's 63 districts, reaching a total of 925 participants.

DATE	PROVINCE	PARTICIPANTS	FACILITATORS
Sep 24-28, 1994	Copperbelt	28	5
Oct 3-7, 1994	Western	23	6
Oct 17-21, 1994	Central	29	6
Oct31-Nov4, 94	Southern	28	6
Nov 25-28, 1994	Northern	24	7
Dec 12-16, 1994	Eastern	30	7
Jan 8-13, 1995	Luapula	26	7
Jan 22-27, 1995	Northwestern	22	6
Feb 20-24, 1995	Lusaka	30	5

Source: FODEP, The Provincial Workshops Report, March 1995

Under the PAU's M&E plan, "in-house", participatory evaluations were conducted for all of FODEP's civic education workshops. A clear majority of workshop participants reported that (a) the content of workshops was directly addressed to course objectives (b) the level of instruction was "about right" and (c) that their understanding of citizen rights and responsibilities had been enhanced. Among the most common negative comments were that (a) there was insufficient time to cover all topics adequately (though some participants, many of whom have limited income, may have preferred a longer course mainly to obtain larger sitting allowances) and (b) that participants were unable to take away sufficient written materials to enable their own work.

FODEP also conducted two pilot workshops for elected leaders, in Chipata in December 1994 and Kitwe in May 1995. The latter was attended by a member of the Review Team. Convened in the heart of Zambia's politically active Copperbelt province, the Kitwe leaders' workshop attracted two MPs, 5 mayors, and the presidents or provincial leaders of five opposition political parties among its 31 participants. The SACOG/FODEP facilitators skilfully adapted their standard curriculum to meet the needs of this lively group of opinion leaders. In our view, the most striking achievement of the leaders' workshop was that it provided a non-partisan forum for an exchange of opposing political views. The FODEP facilitators played crucial roles in introducing political adversaries to one another, maintaining an atmosphere for free expression, and mediating sometimes heated political debates. The Kitwe workshop demonstrated that FODEP can successfully perform as an instrument of conflict resolution. As one participant said: "this is the first all-parties meeting since the President Chiluba called us together at State House in 1992" (at which time the President annointed FODEP as the preferred convener of future such

meetings).

The Review Team endorses the reliability and commends the generally positive findings of the PAU's workshop evaluations, but wishes to raise several concerns. First, the evaluation methodology currently contains no means of objectively assessing what the trainers at workshops (and their subsequent trainees), are actually learning. Second, the PAU's MIS system is generating a mountain of data on participant evaluations of civic education workshops, but further analysis is needed to distill and synthesise findings into a form that is useful for making program decisions. And, third, the institutional capacity to conduct evaluations and manage data is accumulating, not at the FODEP National Secretariat, but at the PAU office in Lusaka. In our view this imbalance needs to be rectified.

Finally, the real test is whether the civic education campaign can reach down to the community level. FODEP reports that 4185 citizens have been reached by their trainers, but we know no way of verifying this figure. To be sure, evaluation does not only consist in monitoring Project "outputs", such as the numbers of training workshops or trainees. Instead, evaluation should measure "outcomes", for example the increased civic awareness amongst a Zambia's citizens (see Logframe indicators). In March 1995, the PAU called for a temporary halt to district workshops in order to assess the community-level impact of the now rapidly burgeoning training program. Despite misgivings at FODEP, our view is that this was a correct decision. There is no point in amassing ever larger numbers of trainers until it can be confirmed that those trained are transmitting civic education messages, that people are receiving these messages accurately, and that training results in civic action at the community level.

To address these issues, the Mid-Term Review Team commissioned FODEP to run a self-evaluation of the post-workshop activities of trainers and the impact of any outreach on the political knowledge of citizens. FODEP volunteers Abdon Yezi and Rose Mulumo delivered a report to the Team on June 9, 1995, the full version of which is available from the FODEP Secretariat. Its main findings from a questionnaire administered to 34 district trainers in four districts in Central and Eastern Provinces are that:

- * all district trainers say that they have conducted outreach since attending a FODEP workshop (a finding largely confirmed by follow-up focus groups at community level);

- * most outreach activities (for 24 out of 34 trainers) took place in the immediate neighborhood or workplace of the trainer; only trainers with a field profession (like church pastor or NGO extension worker) were able to touch outlying communities;

* the median number of reported citizen contacts is 40-60 per trainer (unverified figure, probably overestimated);

* 19 out of 34 trainers say they detect an increase in FODEP "membership" as a result of outreach;

* only 4 of 34 trainers had ever reported back to FODEP on their activities.

The Review Team also made observations about the community level impact of civic education on the basis of field visits to Mkushi District, Central Province and three districts in Eastern Province. We combined these observations with findings from the FODEP evaluation team's discussions with 12 focus groups who had been contacted by district trainers (N = 258 citizens). The findings were that:

* in only 4 of the 12 community groups could citizens name their local government councillor (note: this figure is lower than the 52 percent of randomly selected citizens who could name their councillor in the 1993 baseline survey);

* citizens nonetheless claimed to have heard of FODEP from civic educators (78%), through newspaper reports (44%), or through the FODEP's mass media campaign on radio and TV (16%) (note: these figures is considerably higher than the baseline finding of 15 percent who had heard of FODEP)

* A few simple messages appear to have penetrated popular awareness: (a) that citizens have a right and duty to vote (b) that voting is a free and secret choice and (c) that FODEP is a non-partisan organization. Awareness of the concept of non-partisanship was far from universal, however, sometimes only emerging after heated discussions about whether FODEP was really associated with a political party, or a party in its own right.

The Review team concludes from these preliminary and exploratory findings that FODEP's civic education campaign has already had a discernible and positive impact on citizen awareness in those selected communities where the FODEP district trainers have been most active. Nevertheless, the community-level coverage of the district trainers is still extremely spotty and the civic education messages are becoming diluted and oversimplified as they pass down the chain of FODEP committees from center to locality.

Importantly, our research revealed that FODEP district committees lack several key resources for civic education outreach into outlying areas. These include (a) identity cards to confirm FODEP's non-partisanship (b) a small district transport fund for bicycles or bus fares and (c); and basic written and visual materials (e.g. comic books). Training materials are needed both by trainers, to refresh their own knowledge, and citizens, to to

guide small group discussions within communities. In our view, the potential success of the national civic education campaign depends on quickly breaking such constraints.

USAID approved funding for FODEP of some \$525,000 for the fiscal year ending June 30, 1995 of which some \$287,000 was earmarked for civic education workshops. Because of overspending in some provinces (notably Northern), and underestimation of the costs of district workshops, USAID/Z approved a reallocation from other budget line items to civic education in the amount of \$100,000 in January 1995. For present purposes, we assume that this latter amount has not yet been spent due to the temporary suspension of district workshops. On this basis, we estimate the average cost per workshop (n=44) at about \$6500 and the average cost of training civic educators (n=1169) at just under \$250 per person. **Provided** these trainers subsequently undertake community activities, these expenditures would seem to be relatively cost effective. Small additional increments to enable the activation of trainers at the community level are clearly justifiable in order to realize the fruits of this initial investment.

The shortfall of training materials in the localities is directly attributable to delays in launching the mass media campaign planned under the Project. The plan called for the production of posters, handbills, pamphlets and public service spots on radio and TV, among many other forms of message. A contract to produce these items was signed between the FODEP and Multimedia Zambia, a private company, in February 1985, with first products appearing in March. Unfortunately, most materials were unavailable for distribution at the time of district workshops. Even where some materials were distributed, as in Mkushi, the trainers could not disseminate them because they could not afford to travel around the district.

Depending on whom we talked to, the Review Team heard starkly different versions of how delays arose in launching the mass media campaign. At the risk of oversimplification, the views of the principal parties can be summarized as follows. The COP, Southern University stated that the PAU intervened to initiate the mass media campaign only after many months of FODEP inactivity and and FODEP's inability to come up with reliable costings. Members of FODEP's civic education subcommittee claim that SU pulled the plug on their ongoing program of work to produce dramas, comic books and video documentaries. We cannot construct a consistent account, let alone apportion responsibility, for these events. It is but one of many unfortunate manifestations of the severely strained relationship between the PAU and FODEP (see next section). In our view, the only feasible and sustainable solution is to rapidly upgrade the staffing and organization at FODEP to the point that it can run its own civic education programs.

To summarize, since mid-1994, the Project Administrative Unit operated by Southern University has provided a dynamic shot in the arm to FODEP's national civic education program in Zambia. An enormous amount of good quality training of trainers has been imparted over nine short months. The evaluation Team has no doubt that, without the PAU's first-rate management skills and SACOG's substantive contribution to the curriculum, the civic education campaign would still be languishing in the doldrums, as it had for two years previously. In short, the contractors have performed well.

Yet these recent achievements have been obtained at high cost, most notably to the capacity and identity of FODEP. Operational expertise and control in mounting the cascade of workshops apparently resides at 30 B Mutende Rd. (the SU office) and the sixth floor of Anchor House (the SACOG office) and not at 127 Chainama (The FODEP Secretariat). In part, this is understandable in terms of human resource shortages and regular turnover of staff at the FODEP Secretariat (see next section).

But, in terms of Project identity one can ask: "Whose flag is flying over the national civic education campaign in Zambia?". We find it unfortunate that civic education activities are labelled with references to the "Southern University Democratic Governance Project". USAID/Z has always referred to the **Zambia Democratic Governance Project**, hence helping to build Zambian ownership. We also notice that the SU and SACOG labels are prominent on the civic education training materials. One Zambian commented to the Review Team that this helped to lend credibility to FODEP, increasing its capacity to convene meetings of political leaders. Yet several other Zambians disagreed, suggesting that the identity of the civic education campaign was becoming blurred, and FODEP's ownership of its own activities was being undermined.

These issues, in an otherwise impressive national civic education program, can only be effectively addressed in the context of a major crash program to upgrade FODEP's organizational and financial management capacity. The next section addresses the institutional strengthening of FODEP.

Recommendations:

Following the ESSENTIAL PRECONDITION of the strengthening of FODEP personnel and management systems as recommended in the next section:

*** PAU and SACOG should transfer operational responsibility to FODEP for future civic education workshops.**

* USAID/Z should advise SU and SACOG to refer to the Zambia Democratic Governance Project in all future civic education activities and, even more aggressively than heretofore, to promote the corporate identity of FODEP.

* As recommended by PAU, and before proceeding with more district workshops, FODEP should design and operate an intensive pilot program of civic education in a few districts in a single province to test the effectiveness of community outreach.

* USAID/Z should immediately authorize PAU to expend Project funds on identity cards, simple training materials, and basic transport costs for community education activities. With PAU assistance, and first on a pilot basis, FODEP should design and install distribution and control system for the strict management of these resources at district level.

* SU and SACOG should help FODEP develop methodologies for (a) assessing the extent of participant learning by administering simple knowledge tests before and after workshops (b) regular reporting on community activities by FODEP trainers, supported by basic materials and postage.

* As planned, FODEP should proceed apace with workshops for elected leaders, increasing coverage if necessary during the upcoming general election campaign when such forums could help to defuse and mediate potential political tensions.

Institutional Strengthening: FODEP

The Project design documents and implementing instruments concerning FODEP use as a starting point the value of FODEP's existing and potential national volunteer network as a grass roots base for citizen accessibility to public decision-making and as a resource to hold the GRZ accountable through democratic processes. At the time of Project commencement, FODEP's reputation and strength was principally as a national non-partisan movement in ensuring a fairly contested election process.

The Project was intended to enable FODEP and its constituent elements, from the level of the local government ward to the national level, to make the transition from being a temporary election monitoring movement to being a more enduring institution of civil society in Zambia. Thus, the Project's Logical Framework identified institutional strengthening as an objective at the Output Level, with the following indicators of institutional strength:

- o FODEP clarifies its mission statement
- o FODEP documents board/management relations
- o FODEP establishes financial control system
- o FODEP establishes international linkages
- o FODEP diversifies funding sources

These objectives were embodied in the March 10, 1993 Memorandum of Understanding (MOU) between FODEP and USAID/Z which provided as follows with respect to institutional strengthening:

"FODEP has the potential to be highly cost effective because of its proven capacity to mobilize voluntary effort at the community level. But this voluntary effort requires backing from a professional staff and core institutional funding. With technical assistance inputs provided during Phase One, a short-term consultancy will be undertaken to assist FODEP in determining these institutional needs, including staffing; and, in devising a long-term strategy for achieving financial self-reliance."

The specific technical assistance undertakings concerning strategic planning were provided over the period March 1993 through March 1995, with USAID/Z resources channeled for the first twelve months through the Institute for Development Research (IDR), secured through IQC contract Number AEP-5451-I-00-2050-00, and, thereafter, through the PAU.

Attainment of the Logical Framework Output level objectives for FODEP is mixed.

Clarification of FODEP's mission statement was formalized in March 1995, with adoption by the Board of the "FODEP Strategic Plan, Projections and Budget (1995-1999)." This document was drafted in October 1994 by FODEP Board members, following more than a year's process of strategic planning and institutional reorganization supported by technical assistance from this Project.

On March 26, 1994, FODEP adopted a new Constitution, broadening its membership and its institutional governance. This Constitution was a product of, and further contribution to, the long term strategic planning process supported by this Project. The 1994 FODEP Constitution shifted FODEP from being a consortium or apex organization of independent non-governmental organizations to being a membership organization whose legitimacy derived from the grass roots and whose objectives were to support community efforts to promote and strengthen democracy in Zambia.

The 1994 Constitution did provide a clear delineation of the structure and functions of a 19 member Board of Directors, to be composed of the 9 Provincial chairpersons, 4 elected persons at-large, 5 elected sub-committee chairpersons (Legal, Publicity and Research, Finance, Civic Education and Project Review), and an Executive Director (ex officio). Elections are at annual membership meetings.

In contrast with its the solid record of achievement in civic education at the grass roots level, as discussed in the immediately preceding section, the Output level objectives concerning international linkages, funder diversification, and FODEP's financial management capacity, show little if any progress. FODEP's recurrent weaknesses in fiscal management, despite numerous corrective initiatives, continue to thwart institutional viability and growth.

From the Project start-up October 1, 1992 through May 1993, institutional strengthening activities for FODEP were held in abeyance pending arrangement by USAID/Z of some form of contractual mechanism to secure and provide the intended technical assistance. Over this period, USAID financial and logistical support for FODEP was provided directly by the USAID/Z Mission. In May 1993, under a Purchase Order through the USAID Indefinite Quantity Contract (IQC) No. AEP-5451-I-00-2050-00), USAID/Z arranged that the FODEP institutional strengthening role (along with technical assistance for FODEP's civic education program) would be provided by the Institute for Development Research (IDR). By all accounts (including from USAID/Z and FODEP), this work proceeded satisfactorily through March 1994.

From March 1994 through July 1994, during the period of USAID/Z's execution and the start-up of the Cooperative Agreement with the Southern University System for establishment of the PAU, there was a controversial negotiation among all parties on the terms and arrangements whereby IDR would continue to provide institutional strengthening assistance to FODEP, under a sub-grant agreement with the PAU. These negotiations were unsuccessful, and broke off in July 1994.

FODEP now has an organized and predominantly volunteer-based structure in all Provinces and some 90% of the 63 Districts in Zambia. The ever growing outreach capacity of FODEP can be directly attributed to the efforts of FODEP officials and personnel at all levels, provided to a predominant degree on a volunteer effort. This Project has, in turn by IDR and then by the PAU, provided indispensable financial and technical support for this outreach effort and capacity.

The Southern University Cooperative Agreement (CA) provides that the PAU " is expected to enter into an organizational/sub-grantee relationship with FODEP as soon as possible after the Cooperative Agreement is effected. The CA provides that FODEP's recurrent and investment costs associated with the implementation of the civic education and institutional strengthening...elements of the Project shall be substantially provided through this relationship." The organizational/subgrantee relationship with FODEP has not been established. It is the position of the PAU, that FODEP has yet to meet the financial and general management requirements to qualify for subgrant funding. The Mid-Term Review Team concurs in this assessment.

In the view of the PAU, FODEP's management deficiencies require the PAU to strictly control financial disbursements to FODEP, even to the point of micro-administration of fiscal matters. While FODEP agrees that it has management weaknesses, it also believes that the PAU's micro-administration of its affairs serves to disempower FODEP as an independent institution.

There have been conscientious efforts, by USAID/Z, by IDR, by the PAU, and by FODEP itself, over the course of this Project to address FODEP's financial management weaknesses, but no one or a combination of these efforts has born fruit. Accounting and fiscal management systems were developed (first by USAID/Z, then by IDR), reviewed with FODEP, adopted and maintained for a while, then abandoned or atrophied. The reasons for this are no doubt multiple, and unclear.

In part the answer lies in the inherent challenges to an organization in the process of transition from being an informally structured, cause-oriented movement, to its assumption of the trappings and responsibilities of a more formal institution. FODEP

has also experienced a high rate of leadership turnover: there have been six persons occupying the position of Executive Director or Acting Executive Director over the life of this Project. In part, too, there has been some inconsistent effort and attention on the part of FODEP's Board of Directors. FODEP's Constitution, for example, provides that the Board shall annually appoint three distinguished citizens as Trustees who shall act to protect the assets of the Foundation on no behalf of the general citizenry; these Trustees shall not be members of the Board of Directors. No appointments or Trustee actions have been directed at maintaining or preserving the cash assets (and the financial management system) of the Foundation.

During the course of the Mid-Term Review, FODEP, the PAU, and USAID/Z have consulted with the Review Team, separately and as a group, to explore options for correcting, once and for all (and, it might be said, now or never), the financial management constraints that are the principal barrier to further institutional progress by FODEP, particularly at the national or central level. The Team's recommendations, therefore, are based upon an understanding of what the principal parties are prepared to commit and undertake.

Conclusions

Several of the key FODEP institutional strengthening objectives have been met. FODEP has clarified, and secured broad-based institutional ownership, of its mission statement. FODEP has clarified, and formally articulated, the structure, nature and role of its Board of Directors. The strategic planning and restructuring activities of FODEP, supported by Project resources (financial and technical assistance) have made FODEP a stronger and more productive contributor to Zambia's democratization than it was at the start of this Project.

FODEP still has a fundamental institutional weakness, not yet successfully addressed by FODEP or the Project, which constrains its ability to maintain or diversify a funding base, and perhaps even threatens its independence and viability. The bedrock institutional weakness of FODEP centers on deficiencies in financial management. Processes such as planning and budgeting, and aspirations such as viability and independence, are all hostage to FODEP's financial management shortcomings. The issue goes beyond accountancy and management of books and records. It includes deficiencies in the executive oversight required to maintain and use properly a sound financial management system. As well, it includes deficiencies at the Board level, where absence of specific Board action, follow-through, and oversight on finances are symptoms of a lack of genuine commitment to resolve FODEP's chronic financial management problems.

It is not possible to pinpoint the extent or manner to which the institutional strengthening assistance of IDR, the PAU, or USAIDZ for that matter, fell short of the mark. The transition from IDR to the PAU in provision of TA to FODEP for institutional strengthening unquestionably had some negative impact. However, the Mid-Term Review Team does not conclude that this transition had a significant effect in the area of FODEP's fiscal management.

Unless and until FODEP is able to resolve its financial management weaknesses, FODEP will not be able to begin to make further progress in its institutional strengthening aspirations, and the institutional objectives of this Project will remain frustrated. Quite possibly, FODEP's strengths at the grass roots will be eroded by its weaknesses at the center.

Continuation of the status quo for FODEP's institutional strengthening under this Project is not a desirable or practical option.

USAID/Z, FODEP, and the PAU are willing to make a defined and concerted effort to resolve this fundamental obstacle to FODEP's development.

Recommendations:

* That the Board of Directors of FODEP formalize their commitment, through collective Board action, to resolution of the institutional weaknesses of FODEP, particularly with respect to (a) delineation of the roles and functions of the Board vis-a-vis management and vis-a-vis the operations at the Provincial and District levels, and (b) the financial management of FODEP. The Board should establish an Audit and Budget Committee to serve as the Board's link with FODEP financial management, and as the Board's principal instrument for oversight in this area.

* That the PAU, in consultation with USAID/Z (particularly the DGA and the Controller's office) advise FODEP in specific terms, the preconditions required for FODEP to qualify for grant funding covering FODEP activities under this Project. At minimum, these preconditions include the appointment of qualified and approved persons to the posts of executive director and financial manager and the establishment of acceptable financial control systems.

* That FODEP, after prior consultation with the PAU, make a specific proposal to the PAU for USAID/Z financial support of technical assistance to enable the new FODEP financial manager to adopt and implement accounting and financial procedures as required to qualify FODEP for grant funding. USAID/Z Controller's office should oversee and/or participate in this

technical assistance, to facilitate FODEP requirements with USAID accountability requirements.

* When FODEP meets the preconditions and qualifications established for it to manage grant funding from USAID/Z through the PAU, the PAU should make a three-months disbursement to FODEP, covering items in FODEP's operating budget as agreed upon between the PAU and FODEP. Such quarterly disbursements (made against budgets agreed between FODEP and the PAU) should continue so long as FODEP meets the terms and conditions (including on financial management and reporting) of the grant.

* A firm time-table be established for FODEP coming to qualify for quarterly disbursements. We recommend that this be three to six months from the time that the remedial activities described in recommendations 2, 3, and 4 commence. A target for commencement of quarterly disbursement funding to FODEP should be no later than January 1, 1996, so that FODEP's financial relationship with the PAU can already be in a "grant" mode rather than an essentially "reimbursement" mode as FODEP begins its planning for its next fiscal year, commencing April 1, 1996.

* Concurrently with the financial management and grant arrangements recommended above, FODEP and PAU should negotiate a fresh agreement on specific institutional strengthening activities (at all levels of FODEP) which can be undertaken during the life of this Project, commencing now, to reach the institutional capacity objectives of the Project.

* In the event that the foregoing recommendations are not acceptable, or if followed they prove unsuccessful within the time period recommended above, the parties should consider an alternative, whereby the FODEP institutional strengthening capability would be centered on the Provincial and District level operations, with the Secretariat being downgraded primarily to providing support services to Board activities, with the resulting FODEP being a federation of sustainable volunteer grass roots elements rather than one directed and supported from the center.

Civic Action Fund

The Project Paper provided for a small grants fund "to respond to, and to help develop, proposals for...initiatives from civic associations." The Project Paper postulated a five-year Civic Action Fund of \$100,000 per year, with five to eight small grants annually, along the lines of the USAID Human Rights small grants fund in South Africa. The Project Paper added that "during the life of the Project, the D/G Advisor will explore the possibility of devolving administration of the small grants fund to an umbrella NGO in Zambia, perhaps FODEP itself." When USAID/Z determined to administer the civic education program, among others, through an external unit (the PAU), implementation of the Civic Action Fund was deferred until the PAU was in place. This took place in June 1994, some 20 months after the Project commenced.

The USAID/Z Cooperative Agreement with Southern University establishing the PAU provides as follows concerning the Civic Action Fund:

"The Southern University System is to develop systems for administering the Civic Action Fund. Administration will include receiving, evaluating, awarding, managing and monitoring subgrants to local NGOs. Approximately 12-15 grants are expected to be awarded over the three year life of the Cooperative Agreement."

The Cooperative Agreement goes on to detail the PAU's responsibility to developing application and proposal systems and formats, to provide assistance to worthy prospective sub-grantees to shape their proposals for review and approval and to be able to administer and account properly for their sub-grants. The PAU is to evaluate and audit the sub-grants in accordance with USAID regulations, and is to strive for "complementarity of effort [in the Civic Action Fund] with other components of the Project."

The PAU moved quickly to develop, and secure USAID/Z agreement on, the criteria and applications procedures for the Fund. By early October 1994, public advertisements of the Fund had been published and applications were being received. The public announcement indicated that applications for project funding up to \$25,000 were being invited, to be judged by the following criteria:

- * the activity or initiative must be designed to enhance the civic awareness of Zambian citizens;
- * the activity must be new or on-going; however, the organization and/or its leaders must have experience with similar initiatives;
- * the outcome(s) from the activity must have an impact on a well-defined target group; and

* the activity must be completed 12 months, but the recommended duration is 6 months.

In response to this initial solicitation, a total of 145 enquiries were received, of which 45 came in the form of formal applications. The enquiries and applications were screened by the PAU's Civic Action Fund Coordinator, Ms. Monica Masonga, who summarized them and assessed them in terms of completeness of the application, relevance to the criteria, with further notation on particular matters (particularly on indications concerning accountability of funds). Based on this preparatory work, on December 13, 1994, a grants committee, consisting of the DGA, the PAU Chief of Party, the PAU's Training Director and Civic Action Fund Coordinator, and a Ministry of Education representative, convened and agreed on the following five Civic Action Fund grants totalling \$95,349, to become effective January 1, 1995:

<u>Grantee</u>	<u>Purpose of Grant</u>	<u>Amount</u>
Catholic Commission for Justice and Peace	Civic education training at diocesan level	\$20,134
Zambia Civic Education Association	Teachers civic education program	\$25,000
Youth Federation for World Peace	Civic education targeted at in-and out-of-schoolers	\$8,000
Rainbow Monitors	Formation of human rights groups at universities and colleges	\$24,215
National Women's Lobby Group	Women's advancement in the electoral process	\$18,000

.. further solicitation was made February 1, 1995, following the same general procedures. Based on the experience from the previous group of grants, the committee reviews and adjusts criteria after each round. The DGA recommended that there be an emphasis on innovative proposals and activities outside of Lusaka. Thus, out of 108 enquiries and applications, the grants committee on March 20, 1995 approved another six Civic Action Fund grants totalling \$111,333, to be effective April 1, 1995:

Tilipo Theatre Club (FODEP), Chipata	Civic education through drama	\$22,000
Pamodzi Theatre Ensemble, Lusaka	Drama on voting and freedom of expression	\$22,000
Ntanda Theatre Prod., Livingstone	Civic awareness through popular theatre	\$3,983

Women for Change, Lusaka	Civic and political rights rural awareness campaigns	\$25,000
Legal Resources Fdtn	Community awareness campaign in urban shanty towns	\$22,500
Youth Federation for World Peace	Civic rights awareness campaign	\$15,850

Preparation of solicitation for a third group of grantees will commence in June or July 1995, after determination by the PAU of the amount of funding that will be available for further Civic Action Grants.

On April 5, 1995, the PAU staged a workshop bringing together representatives of the first group of Civic Action Fund grantees with those of the second group. This workshop enabled expansion of linkages between and among the various groups, and valuable sharing of experiences.

The budget terms established by the PAU (with USAID/Z approval) for the grant agreements emphasize low cost, grass roots operations. Thus, funding is made available for specific program activities (transportation costs, project material, reproduction costs, and the like), promotional activities, limited equipment (not in excess of 15% of the amount funded), and costs of the final report. Excluded from the budget are overhead or recurrent costs, costs for non-Zambians, and very limited support for meals and incidental allowance for participants and facilitators. For training programs, there is a ground rule that there should be at least 10 participants for every facilitator.

To date, all grantees are current in their program reports (albeit with mixed quality) and in their financial reporting. Also, the PAU advises the Mid-Term Review Team that to date, grantees have not objected to the tight budget restrictions (including the disallowance of overhead or recurrent costs).

With technical assistance from MSU, the PAU has established a detailed management information system in order to track the extent of coverage of the civic education activities funded under this program. Project proposals (and reporting) include estimates (when precise figures are not available) of the participants of activities (including drama audiences), with some provision for feedback on messages received, lessons learned, and intended follow-up activities. This management information system for the moment seems oriented largely to the PAU's reporting to USAID on results, and it is not clear whether or how this information will become a part of the Project's learning process.

Grantee and PAU estimates of likely participants in these 11 activities are in the range of 20,000 for the projects involving

theater presentations and 800 - 1,000 for those projects involving training workshops. Initial program reporting and field observations by the Review Team suggest that these estimates may be conservative. For example, the Tilipo Drama group in Eastern Province is committed to perform 48 civic education dramas (six in each of eight Districts), over a six month period. However, within the first three months of operation, the group has scheduled some 45 presentations, and expects to have a comparable amount in the second half of the grant period, thus likely to reach more than twice the number of participants projected; at its current rate of audience participation, the Tilipo group itself may have in the range of 16,000 to 20,000 participants in Eastern Province.

One of the premises in the Project Paper for establishing the Civic Action Fund was that it would build upon, and contribute to, the Provincial and District presence and activities of FODEP. This is proving to be the case. In many instances, the program implementors or facilitators are persons who have become involved in civic education through FODEP. Similarly, participants being enlivened to civic education through the Action Fund are increasing the pool of persons available for follow-up civic education work through the structures being established by FODEP and other organizations. In at least two instances (the Tilipo Drama group and the Catholic Commission for Justice and Peace), the Civic Action Fund grants have gone to organizations formally related through the central or Provincial FODEP structures.

It is too soon to tell the impact of these Civic Action Fund activities. The messages in these activities are essentially the same as in the FODEP civic education fund activities described in the preceding section: alerting citizens to their civic rights and responsibilities; encouraging registration and voting; attacking the growing voter apathy by alerting citizens to their right and license to confront their elected officials, and hold them accountable for their campaign promises under sanction of removal from office.

The overall picture of the Civic Action Fund is of a program that has been soundly conceived and well administered. The demand by the civic education community -- and the quality of groups and programs proposed -- has exceeded expectations. The PAU has been encouraged by USAID/Z, through the DGA, to proceed at this accelerated pace. Thus, it is likely that within its first year of operation, the Civic Action Fund will have put into operation as many grants and at a funding level originally projected for a three year period.

Clearly, the Civic Action Fund, the newest element in this Project, is emerging as a major success, with great potential for a significant contribution to the objectives of this Project.

Recommendations:

* USAID/Z and the PAU should continue the Civic Action Fund program, and expand it as resources, and demand permit. Expansion should be kept within the bounds of the PAU's ability to continue to maintain the current high quality of administration and management of the program.

* The PAU and the DGA, together with the Project's Monitoring and Evaluation Component, should examine how the Civic Action Fund's evaluation feedback to the PAU MIS can be actively incorporated into the broader body of information intended for Project learning.

* The PAU should take care that its direct financial support of Zambian NGOs and groups, particularly at the Provincial, District, and local levels, not have the effect or appearance of preempting functions more appropriately exercised by Zambian institutions, including (but not limited to) FODEP.

Civics Education: Ministry of Education

The Project Paper proposed that, "given Ministry of Education approval, FODEP will commission a local political scientist to rewrite the civics textbooks used in Zambia's government secondary schools to reflect the new norms of political pluralism and the rules of democracy". In retrospect, the Project designers clearly overestimated FODEP's management and absorption capacities for undertaking even such relatively modest tasks. Appropriately, this item was excluded from the March 1993 MOU with FODEP. In August 1994, SU took the initiative to make direct contact with the Ministry of Education concerning civics curriculum reform, in the process demonstrating to the U.S. Country Team that the Zambian government harbored fewer political sensitivities on this subject than originally thought.

The Review Team was pleased to discover that a partly-formed idea about a civics textbook has been developed into a fully-fledged Project subcomponent consisting of several, mutually reinforcing activities.

To begin, SU commissioned an overview of civics education issues from Development Consultants Network of Atlanta, Georgia. In our view this rather cursory report suffered from a lack of grounding in country knowledge of Zambia. The next study, by Dr. Geoffrey Lungwangwa, UNZA senior lecturer in Educational Administration and Policy Studies, was empirically sounder. This local consultant delivered a 190-page report in March 1995. It covered the status of civics education in Zambian secondary schools including recommendations for improvements for the teaching and learning of the subject. It demonstrated that civics offerings were marred by patchy coverage and low quality; for example, fewer than 7 percent of civics teachers had received relevant subject-matter training; only 22 percent of Grade 9 pupils had ever had a civics textbook; and the secondary school syllabus had not been systematically updated since 1965. Yet the author's sample surveys of teachers and (especially) students revealed an enthusiastic demand for the expansion and upgrading of the civics education.

The study recommended: (a) complete revision of the secondary school civics syllabus to reflect Zambia's new regime of democratic pluralism; (b) expansion of civics education courses from junior secondary (Grades 8-9) to senior secondary level (Grades 10-12); (c) professional, in-service training of teachers of civics at teacher training colleges (d) production of a completely new secondary school civics textbook, as well as teacher education kits. The author's approach to curriculum reform emphasised the need to identify and promote core democratic values, to involve civic educators when devising curricula and materials, and to encourage innovative teaching methods that lead from formal learning to practical citizen action. Lungwangwa also noted in passing that "the role of civics has not yet found a place in the

political agenda of Zambia's leaders" or in the policy priorities of the Ministry of Education.

At the time of this review, USAID was about to enter into an MOU with the Ministry of Education (MOE) to implement these proposals. The draft MOU went through several versions since January 1995 to incorporate amendments requested by the MOE and USAID/Z. Most parties currently perceive that finalization of the agreement has slowed due to delays on the donor's part. Responsibility for implementation will rest with SU through DCN, who were selected by SU for a subcontract. Implementation of this subcomponent involves the organization of a national symposium on civics education, the development of curriculum, the training of teachers, and the production of texts.

Recommendations:

* USAID/Z should promptly finalize the MOU with the Ministry of Education and the subcontract with DCN in order that implementation of the workplan can start on schedule in June 1995.

* USAID/Z should seek assurances from the Ministry of Education that recommendations from the proposed national symposium will be incorporated into a policy review aimed at enhancing the place of civics education in national educational priorities.

* In order for DCN to execute their contract effectively, SU should require that DCN recruit personnel with extensive curriculum development expertise and, preferably, first-hand experience in the Zambian political, educational, and cultural systems.

* SU and DCN should contract the preparation of civics texts to the best private contractor in Zambia outside the MOE; at the same time, the MOE's team of Zambian civics educators should be allowed opportunity for review texts with the aim of maximizing classroom usability.

* Because of the the possibility of significant budget overruns, the DGA and PAU should jointly decide on how to scale back the scope of the proposed curriculum reform effort from all secondary school grades to the one (or two) most appropriate grade(s).

* The short, five-month workplan period allocated to the writing and production of civics texts should be extended, preferably by bringing the starting date forward.

* The PAU should ensure that the new civics curriculum draws upon (a) the Lungwangwa assessment survey (b) the MSU Working

Papers and (c) FODEP's civic education materials.

Election Monitoring

Before closing this section, we wish to comment briefly on FODEP's continuing work on election monitoring. FODEP emerged out of the Zambia Election Monitoring Coordination Committee (ZEMCC), a popular movement that oversaw the October 1991 general elections, and has since retained election monitoring as a key part of its mission. FODEP remains the only organization in Zambia that can quickly mobilize a nationwide network of election monitors through its local linkages with churches, students, NGOs and community groups. To the best of our knowledge, these volunteers remain committed to protecting the integrity of elections in Zambia, often at great personal sacrifice.

There have been 29 parliamentary by-elections in Zambia since October 1991, occasioned by the death of MPs or their defection from the ruling party. We estimate that FODEP has monitored well over half of these, though it is symptomatic of poor record-keeping within the organization that the Secretariat could not produce a definitive list. We can confirm, however, that FODEP reports turning out an average of 40 monitors (range = 28-87) for each of the last five by-elections up to May 1995.

Election monitoring is not an activity of the Project or a line item in its budget. Because it has no reliable source of funding for election monitoring, FODEP is repeatedly caught in a last minute scramble for funds just days before each by-election. Occasionally, it has received small contributions from USAID/Z Program Development Support Funds (for the 1992 local government elections) and from German, Swedish, Norwegian, and Japanese sources. The USAID/Z DGA and SU have also shown admirable flexibility in authorizing the limited use of USAID/Z Project vehicles for this purpose.

We offer the following evaluative comments on FODEP's monitoring efforts on by-elections:

- * Over time, the frequency of FODEP's by-election reports has declined. To our knowledge FODEP Secretariat has not issued reports on the following by-elections that occurred in the year preceding this evaluation: Lunte, Chilubi, Chama South, Lumezi, Masaiti, and Chingola, though several of these were monitored.

- * The quality of by-election reports has also diminished. For example, the Chadiza By-Election Report of August 1992 (issued by the FODEP Secretariat) was well-documented, comprehensive and thoughtful; by contrast, the Mwandu By-Election Report of April 1995 (issued by the FODEP Provincial Committee, Western Province) was too sketchy and brief to support its far-reaching conclusions. These problems surely reflect real resource constraints, but may also indicate the need for refresher courses for volunteer monitors and closer quality control by the FODEP Secretariat.

* Some by-election reports reach no judgement on freeness and fairness of elections (e.g. Nalikwanda, April 1992; Nkana, June 1992; Rufunsa and Kafue, January 1993). We detect a need in FODEP for clarification of criteria for judging electoral "freeness" and "fairness". For example, strong campaign rhetoric and patronage handouts may not necessarily be illegal practices.

* FODEP has published reports declaring that some by-elections were **not** free and fair (e.g. Chikankata, October 1994, Mwandu, April 1995). But such declarations have not been followed up with civic or legal action, for example by submission of testimony in election petitions to the High Court.

The fact that FODEP has been unable to strengthen its election monitoring capacity since 1991 may be partly a negative side-effect of the Project's emphasis on civic education. The sustained execution of multiple concurrent tasks may simply exceed the current organizational capacity of FODEP. But regular competitive elections are a critical element in democratic consolidation and, in Zambia, a rare foundation exists for citizen involvement in election monitoring. Experience in Zambia and elsewhere in Africa suggests clearly that electoral infractions (notably intimidation and vote-buying) occur during the election campaign rather than on polling day. This suggests that election monitoring is best conducted by indigenous organizations, like FODEP, that are permanently "on the ground". USAID should continue to ensure that civic education activities undertaken under the Project contribute to, and do not undermine, FODEP's election monitoring capacity. In this regard, the Team commends SU/FODEP's intention to reintroduce election monitor training into the 1995/96 workplan.

Recommendations:

* Preferably in conjunction with other civic education organizations, FODEP should plan now for election monitoring for the 1995 local government elections and the 1996 general elections. It should prepare a funding proposal, perhaps for a rolling election monitoring fund, for submission to a consortium of local and international donors.

* USAID/Z should fund (or encourage the U.S Embassy or another donor to do so) a short-term technical assistant to help prepare the above proposal and organize refresher courses for election monitors and election report writers, prepare logistics and materials, and organize a parallel vote tabulation. This person should be appointed as an advisor to the Executive Director and report to the FODEP Board.

• In order to strengthen existing local institutional capacities, USAID/Z should not fund international election observation missions by non-Zambians.

MEDIA INDEPENDENCE

Project Overview

The prospects for enabling strong independent media necessary for the sustenance of democracy in Zambia are promising despite potential pitfalls that could undermine this goal. The positive developments are the incremental progress in making legislative reforms for greater press freedoms, media autonomy and privatization, as well as a general reluctance on the part of the government to use extra-legal means to intimidate the press. The perception that there has been a monumental shift toward openness is widespread. In the current environment, the press freely partakes in a rambunctious public debate after what one informant called "27 years of grave yard silence." That the debate has proceeded largely unchecked is reassuring for advancing the goal of democratic governance. But a widely-shared feeling that the media have been carried away by the euphoria of democracy and have ignored professional standards exposes the fragility of media independence.

Particularly worrisome are concerns about lack of professionalism in ethics and in the pre-requisite skills of research, investigations, reporting, documentation and attribution. Aside from the weakness of basic journalistic skills, the lack of essential business management and superior editorial skills at executive levels, as well as the continuing existence of weak market factors, poor training facilities, and a weak media infrastructure base appear to constrain the emergence of a truly independent media. The Project attempted to answer these deficiencies at the onset through a combination strategy of support for training, legislative reforms, and support for limited infrastructure and technical assistance. The significance of reinforcing this strategy as a means of strengthening media independence is even more urgent today as the GRZ lurches toward consolidating the gains of democracy.

Project Scope

The media independence component is intended to enable independent and professional journalism by promoting the development of the kind of strong independent media necessary for the sustenance of democracy. It addresses the three main constraints to the development of an independent media in Zambia:

- * Shortage of professional and analytic skills among journalists and other media operators;
- * Excessive government control and ownership of media institutions; and
- * Inadequate resources for independent media operators to counterbalance government ownership and control of the media.

This component of the Project is being implemented in two phases. Phase One activities included funding policy studies resulting in practical recommendations for press freedom and privatization of the media. Phase Two activities are now the responsibility of the Project Administrative Unit (PAU) administered by Southern University. These include:

- * higher degree studies for two staff development fellows of the Department of Mass Communication of the University of Zambia (UNZA) in the United States;
- * equipping the University of Zambia (UNZA) Department of Mass Communication to teach desk-top publishing;
- * monthly short courses at the Zambian Institute of Mass Communication (ZAMCOM) for working journalists;
- * internships in the US for two Zambian journalists and one Zambian media manager each year for the life of the Project;
- * a study of the feasibility of ZAMCOM severing its current links with the MIBS, and, conditional on the establishment of ZAMCOM as an autonomous entity;
- * funding the establishment of a Media Resources Center, open to independent journalists, at ZAMCOM.

Project Status:

Under the terms of the Memorandum of Understanding (MOU) executed between the USAID and the Ministry of Information and Broadcasting Services (MIBS) on May 7, 1993 the Project was expected to provide support for:

- * a program of short-term training courses at ZAMCOM;
- * technical assistance for delivery of expert review of media privatization;
- * expert review of legislative environment for media freedom and independence;
- * feasibility study for establishment of Media Resources Center at ZAMCOM;
- * training needs assessment and training plan in journalism and non-print media for ZAMCOM and the Department of Mass Communication at the University of Zambia (UNZA); and
- * six-week internships with US media organizations for two journalists and one media manager chosen from Zambian independent media.

The latest Project Implementation Review (PIR, 1 October 1994 Through 31 March 1995) sums up the frustrations so far encountered with this component of the Project. The component is running badly behind schedule, partly on account of what the PIR calls "shoddy work" on the part of consultants hired to carry out feasibility studies, delays in getting a Program Administrative Unit (PAU) in place, and continuing confusion over what authority to permit the PAU in procuring deliverables for ZAMCOM. But the component appears to be finally on track with progress being reported in several areas:

- * The staff development program for the Department of Mass Communication at the University of Zambia (UNZA) is under way. The first of the trainees is due back from Boston University in January 1996 with an M.A. degree in broadcast journalism. The other staff development fellow left for Louisiana State University in 1994 for an M.A. degree in print journalism.

- * 22 units of desk-top publishing equipment (DTP) were installed at the Department of Mass Communication, UNZA, in time for the beginning of the academic year. The equipment was handed over March 9, 1995. Two of the units are on back order but the system is up and operating although a network administrator is yet to be identified and hired by UNZA.

- * 2 people returned in June 1995 from six-week internships at The Advocate, a local newspaper in Louisiana. The trainees were selected on the basis of performance evaluation at previous ZAMCOM workshops. One employee of The Post and one employee of The Sun --both independent newspapers-- participated in the internships. One of the interns did political affairs reporting; the other focused on business reporting.

- * The short-term training program of ZAMCOM short courses has finally taken off after initial disappointments with the failure of USIS to provide technical assistance (TA) for the short courses. The first 8 courses held under PAU coordination (see table) have generally been well-received.

To date, 105 participants have attended the two-week Project funded workshops. Prior to the PAU assuming duty, USIS supported one Ethics workshop in 1994. The workshops are credited with diffusing more sophisticated techniques and skills at work places. The press community is enthusiastic about the workshops judging by comments at interviews conducted with editors at The Sun, The Post, The Times of Zambia, ZNBC, and ZANA.

Course	Dates	Participants
Political Reporting	2 - 12 August 1994	16
Interviewing and Reporting on Camera	25 October - 4 November 1994	12
Investigative Reporting	14 - 25 November 1994	13
Radio Magazine Production	5 - 16 December 1994	12
Editing Layout and News Thinking	9 - 20 January 1995	16
Documentary and Training Films Production	13 February - 17 March 1995	16
Radio News Program Production	20 - 31 March 1995	9
Current Affairs for Television	22 May - June 2 1995	11

In-house workshop evaluations have been generally positive with high marks given to ZAMCOM officials and local resource persons. Perceived weaknesses include need to:

- * Give more practical assignments to participants, especially in skill-building activities.
- * Improve coordination and management of courses by ZAMCOM. Some tightening of schedules and control over course organization desired.
- * Improve equipment, especially video cameras, editing suites, computers, and upgrades of HB Umatic equipment to BetaCAM equipment. Participants frequently complain of insufficient equipment and workshop facilities.

ZAMCOM Autonomy

A major condition for supporting the establishment of a Media Resources Center at ZAMCOM was that ZAMCOM attain autonomy from government as an independent agency.

After inertia in getting the delinkage agreement from government, ZAMCOM is apparently about to be set free. All being well, the institute will be transformed into an Educational Trust, independent of government control and funding. A Draft Cabinet Memorandum on the delinkage agreement has been completed and is now

being circulated to other Ministries for their comment. A June 6, 1995 Memorandum from Deputy Minister (MIBS) to ZAMCOM's director confirms that the process should be completed within the stipulated period of 21 days. Cabinet action is expected by the end of June and, if all goes according to plan, delinkage will be effected by December. According to Deputy Minister, MIBS, an Act of Parliament will not be needed to effect changes in ZAMCOM legislation. Once the delinkage memorandum is approved by Cabinet, action will be effected by executive order.

Since the GRZ is a major user of ZAMCOM services, ZAMCOM has already obtained assurances in writing from MIBS that government will continue to train the staff of MIBS, ZIS, ZANA, and ZNBC at ZAMCOM. The government expects to pay economically competitive rates for the training services. In sum, while the GRZ appears about to fulfill its part of the Phase One MOU agreement on ZAMCOM autonomy, it will continue to purchase ZAMCOM services in the private marketplace.

ZAMCOM Viability

The other MOU condition concerns the financial viability of ZAMCOM as an independent agency. The assessment of this financial viability was expected to be determined on the basis of two studies carried out in 1993 by Associates in Rural Development (ARD). The studies were to assess the feasibility of a Media Resources Center (MRC) at ZAMCOM and assess a training plan in journalism and non-print media for ZAMCOM and UNZA. These studies were expected to be completed within six months of the signing of the MOU with MIBS in 1993. Project documents and interviews with DGA, ZAMCOM director, COP PAU, and ARD established that initial work on these studies was unsatisfactory. ARD later augmented the training needs assessment but the studies were delayed, something which the PAU insists has created additional burden for timely implementation of the ZAMCOM sub-component.

In consultation with USIS, SU, and DGA, ZAMCOM initiated a Training Advisory Committee comprising media chiefs to finalize a course program. As a result, 12 two-week courses were identified and are being implemented at the rate of one course per month. ZAMCOM is developing training modules and course packages from this initial experiment but the institute needs to constantly reassess training needs. The Institute needs more flexibility in planning course offerings, such as giving one year lead times between assessments and course implementation.

A third study designed to provide a Viability Analysis for ZAMCOM was conducted by Price Waterhouse. The final Report was submitted in March 1995 to Southern University. The overall conclusion of the study is that ZAMCOM is capable of operating as a commercially viable organization. To assure viability Price Waterhouse recommended that changes be made at the strategic,

organizational and operational levels. The needed changes are already being effected at ZAMCOM, well ahead of delinkage and despite the uncertainties of USAID support for an MRC. For example, ZAMCOM has temporarily shut down its unproductive revenue centers following appreciation of the fixed costs of each revenue center as per recommendations of the financial management study commissioned by USAID in October 1993. The recommendations also helped ZAMCOM determine realistic charges for the various facilities and services it offers.

A new Management Accountant has also been hired by ZAMCOM. She came to the institute with professional experience from Coopers and Lybrand and Zambia Airways. She is credited with helping ZAMCOM streamline accounting procedures. Financial controls and systems have been effected in accordance with consultant recommendations. The latest audited accounts of ZAMCOM prepared by Thewo and Company Certified Accountants of Zambia shows ZAMCOM improving its profit-loss ratio substantially between 1993 and 1994. For the 21 months to 31st December 1993, ZAMCOM recorded an operating loss of 18.8 million Kwacha. By comparison, the organization recorded a surplus of 9.4 million Kwacha for the 12 months leading to 31st December 1994.

Furthermore, USAID technical assistance has enabled ZAMCOM to begin a Total Quality Management process which ZAMCOM says has already helped re-orient staff and business practices. A TQM committee is in place for continuous assessment and improvement of mission, targets, capacities, markets, services, and revenues. Whether or not the TQM system can be sustained at ZAMCOM remains to be seen. Meanwhile, the PAU has begun searching for a Business Analyst to serve as consultant advisor to ZAMCOM. The Business Analyst will ensure continuity of the TQM process. ZAMCOM expects to hire a Marketing Manager at the Deputy Director level within 3 months. The Marketing Manager will oversee ZAMCOM's long-term viability. The position is also crucial to maintaining the TQM process.

Assuming the CP on autonomy is fulfilled --as expected--a continuing worry at ZAMCOM is uncertainty about USAID's intentions over the MRC and support for ZAMCOM in general. As originally conceived in the Project Paper and in the Revised Amplified Project Description, the Project was to provide the MRC with:

- * a media library
- * desk top publishing equipment pool
- * sound and video recording/editing equipment
- * a photographic unit
- * telex and facsimile equipment
- * a printing press

The level of funding for the Center was to depend on the estimated level of demand and accessibility, and on the ability of

ZAMCOM to meet other conditions required by the Project regarding its autonomy and management efficiency. The idea of the printing press has been abandoned by AID, partly because of opposition from the independent Post newspaper which was considering acquiring its own plant and was uncomfortable about the U.S. government funding a competing press, and partly because of concerns over the cost of such a plant and the financial constraints a printing press could impose on an autonomous ZAMCOM.

Project files are unclear, however, about whether the option of the printing press was fully considered. No study was funded on the issue. The most detailed memorandum on the matter was written by USIS pao (December 15, 1993). Unfortunately, alternatives about assisting independent printing capacity in the at an institution like ZAMCOM were never pursued. The alternatives included exploring the possibility of financing low-interest loans for private entrepreneurs willing to acquire independent printing capacity. The Team considers this oversight regrettable in light of long-standing concerns over the precarious access independent newspapers now have to limited printing facilities, notably the Post's access to the government-owned Printpak.

Plans to equip the MRC with sound and video recording/editing equipment appear to be shrouded in uncertainty following the Price Waterhouse viability study. This issue deserves closer scrutiny. In recommending action for ZAMCOM, PW had concluded ZAMCOM should essentially focus on low quality end of the market and consider broadcasting primarily as a training resource. ZAMCOM and the PAU have challenged these recommendations. Efforts at resolving the issue failed, judging by the latest Price Waterhouse memorandum to COP PAU (Memorandum March 4, 1995).

In our opinion, PW erred in not declaring it had a potential interest in ZAMCOM's broadcast productions business thereby compromising the credibility of both the firm's viability analysis and recommendations on investments in low-end broadcasting. We suggest AID re-examine ZAMCOM's mission as an organization that provides in-service training to broadcasting institutions --mainly the Zambia National Broadcasting Corporation (ZNBC), the National Agriculture Information Services (NAIS) and the Zambia Information Service (ZIS). These three agencies accounted for 48 percent of all ZAMCOM trainees in 1994 and 49 percent in 1995. ZAMCOM's training potential as a regional center should also be considered. In 1994 alone, ZAMCOM provided training to 20 participants representing 16 regional organizations including Swaziland TV, Zimbabwe Broadcasting Corporation, Namibia Broadcasting Corporation, and the Malawi Broadcasting Corporation. Those requesting ZAMCOM to provide regional training in 1995 include Africa Information Afrique of Zimbabwe, The Nordic-SADC Journalism Centre of Namibia, The World Conservation Union (IUCN) of Zimbabwe, and the Commonwealth Journalists Association.

Moreover, the Team thinks it perfectly rational for ZAMCOM to argue that its broadcast training courses are designed such that participants could produce broadcast quality productions at the end of each course module. These productions have been fed in the past into ZNBC transmissions. Both ZNBC and ZAMCOM have indicated that cooperation with ZNBC in broadcasting ZAMCOM training modules and in sending large numbers of ZNBC staff to ZAMCOM training programs could be seriously jeopardized absent investment in high-end broadcast equipment.

The overall impact of ZAMCOM training on electronic media practitioners can be assessed through innovations in Zambia broadcasting that are directly attributed to ZAMCOM training. For example, the twice weekly current affairs show "Tonight" changed its format from a "Talk Show" to a Magazine format as a result of a design that was developed by ZNBC staff while attending training at ZAMCOM. Another program, "Focus", is broadcast in similar format in the Copperbelt. Similarly, the ZIS-produced television current affairs program, "The Zambian Challenge" and other radio programs were direct spin-offs from courses purposely designed for ZIS.

Furthermore, ZAMCOM has impacted on the presentation of news at ZNBC through the continuous upgrading of skills of reporters and anchors. These improvements were confirmed by a number of ZNBC staff including its Director-General. PW itself recorded the following observations about the impact of ZAMCOM training on ZNBC operations:

- * The news reading course had particular impact on the quality of presentation.
- * The outside broadcasting course improved the quality of our OB productions.

Aside from training, the Team agrees that ZAMCOM can better meet its additional commercial revenue needs by servicing a client base of broadcasting institutions, advertising agencies, other corporate bodies, and foreign news media through services in video productions, commercial spots and public service announcements --for example, FODEP's civic education campaign. ZAMCOM could also service corporate advertising, and do screen plays for both domestic and export markets.

Given the lack of progress in implementing Phase Two of the media component until the arrival of SU in June 1994, the Team is concerned that delays in AID/Z's procurement procedure and indecision over providing high-end broadcast equipment to the MRC would seriously damage ZAMCOM's viability if and when the CP on autonomy is fulfilled. Assuming the CP is fulfilled by the end of July 1995 and delinkage is effected by December 1995, ZAMCOM would definitely need to have a fully operational MRC at least two months ahead of delinkage if the organization is to meet its short-term

financial commitment. Consequently, AID/Z needs to begin formulating plans for speeding up implementation of the MRC requirement well ahead of delinkage.

In the Team's opinion, DGA support for ZAMCOM is unequivocal. This was confirmed by interviews and by DGA Memorandum to AID PRM (Memorandum 12 May, 1995). The Team's concerns about delays in equipping the MRC were underscored by the DGA. The Team thinks AID/Z should seriously consider the DGA's plea that "it is incumbent on us to do all that we can to make sure ZAMCOM floats rather than sinks."

If the CP on autonomy is fulfilled, ZAMCOM would have made a convincing case for AID support. ZAMCOM's argument that its most essential contribution to democratic governance lies in the realm of professional journalism training was repeatedly underscored in several interviews with leading policy actors and media managers in Zambia throughout this evaluation. In comparing the achievements of ZAMCOM with those of UNZA for instance, we were impressed by the accomplishments of ZAMCOM over the past year despite limitations of inadequate workshop facilities. These achievements include staging 21 courses for journalists and media managers and 18 courses for non-media specialists with Project and non-Project funds in the last 11 months alone.

The Team is convinced that without ZAMCOM the viability of private mass media in Zambia will be seriously jeopardized. ZAMCOM directly addresses the purpose of the Project which is to make public decision-making more accessible and effective. Accessibility of decision-making is enhanced when citizens gain information about governmental activities, for example through the media or civic education. In 11 months ending May 1995 ZAMCOM provided training to 269 Zambians, 37 percent of whom were specifically from mass media organizations and 41 percent of whom represented government information departments and news agency. Furthermore, 33 percent of ZAMCOM trainees were from non-governmental organizations.

Based on interviews with a cross-section of journalists, trainers, editors, media executives, government leaders, and private practitioners in Zambia and judging by the standard of reporting observed on Zambian broadcasting stations as well as in the printed press, we are persuaded that ZAMCOM could indeed play a far more significant role in providing affordable short-term professional training to Zambian journalists and media managers. ZAMCOM's services will strongly reinforce the viability of an independent press in Zambia.

Recommendations:

- * Upon fulfillment of the CP on ZAMCOM's institutional autonomy, USAID/Z should fund the establishment of the MRC at ZAMCOM, including funding high-end video and audio equipment.
- * USAID/Z should streamline procurement so as to speed implementation of sub-components of media independence.

UNZA: DTP Equipment

The Team's review of the UNZA program, particularly in respect of utilization of Project-funded DTP equipment, shows poor management. UNZA has 93 students enrolled in 5 classes that will utilize this equipment for the next one year. These students have regular access to the lab during 14 hours a week of normally scheduled course instruction. Currently, the lab is unoccupied for an estimated 26 hours a week. The Head of Department (HOD) allegedly controls access to this lab and frequently retains lab keys. Conversation with the HOD was not helpful in providing clear guidance on how the DTP facility could be optimally utilized. The idea of sharing the facility with other potential users for a maintenance fee was rejected outright. The HOD said that "our university won't allow it...we don't do our things that way." But the Dean of Humanities and Social Studies (HSS) --the oversight college of the department sees no problem with time-sharing in exchange for revenue generation.

Despite PAU efforts to train all staff, only 3 of 8 faculty members, were permitted to train in the use of the facility. Also, students' DTP work diskettes are locked away at the end of each class period, thus depriving them of after-class practice and improvement. The department has no posted lab hours outside class periods and has no log of lab utilization. Failure of UNZA to hire a network administrator for equipment maintenance risks effective management. The department says the earliest it could hire a network administrator is September 30, 1995. This plan is unacceptably slow.

In the Team's view, treating the DTP equipment as personal property is unacceptable. The practice of restricting access unnecessarily restricts the flow of knowledge and defeats a major purpose of the Project.

Furthermore, the Team found out the Dean, HSS has been kept substantially in the dark about details of USAID-UNZA cooperation. The College has no knowledge of the MOU between USAID and MIBS and is unaware of conditions for supporting UNZA. The Dean is unhappy about making ad hoc extra-budgetary allocations for lab space, equipment, and staffing because of the DTP facility. He would like to initiate dialogue on all matters pertaining to the management of the lab, including cost containment and cost sharing.

UNZA - ZAMCOM Cooperation

One objective of the media independence component was to facilitate cooperation between UNZA and ZAMCOM. For example, TA's recruited to conduct workshops at ZAMCOM were to conduct instruction for UNZA while in the country. So far, UNZA is blamed for not cooperating with this provision but PAU action in demanding specific UNZA cooperation is unclear. The only instance where such training assistance was accepted by UNZA, it was facilitated by TA's prior connections with the HOD, MC. No record of the instruction, however, is available for evaluation. The HOD is evasive about future cooperation on this sub-component on the grounds that "not all ZAMCOM training is relevant to us."

Other attempts at facilitating UNZA-ZAMCOM cooperation failed because of opposition by UNZA. For example, the PAU proposal to rent the UNZA facility for a ZAMCOM DTP workshop was killed by HOD MC. No clear explanation was given for opposing the initiative. The Team understands that the Dean, HSS might be inclined to favorably consider such a proposition. Based on interviews with media executives and PS MIBS, the Team believes closer UNZA - ZAMCOM cooperation will contribute to redressing what is perceived in the industry as serious deficiencies in practical skills among UNZA graduates. UNZA rejects criticism its program does not provide sufficient practical training even though HOD MC says UNZA's program is designed as a "theoretical" one.

The Team believes the poor utilization of UNZA DTP equipment and the reluctance on the part of HOD MC to cooperate with ZAMCOM stem from poor management and poor leadership at the UNZA DMC. This situation can be radically altered with proper management and supervision of the DTP facility. The Dean, HSS is willing to consider proposals for a more efficient management and accounting system so as to better utilize the DTP facility as intended.

Recommendation:

- * The DGA should initiate dialogue immediately with Dean, HSS to (a) arrange for the PAU to assist in the the installation of an acceptable lab management system for the DTP facility; and (b) ascertain that cooperation is effected between ZAMCOM and UNZA as required by the MOU.

Media Reforms

Early on, the Project funded a number of policy studies that resulted in practical recommendations for press freedom and privatization of the media. These recommendations were submitted to the MIBS where they were considered alongside other studies commissioned by the Ministry. After initial momentum for media reform stalled following the re-assignment of Dipak Patel as

Minister MIBS, the GRZ is said to be close to revealing its recommendations, although similar promises were heard in the past. The Law Development Commission is said to have completed its review of several laws, including the State Security Act and the Preservation of Public Security Act and made recommendations which are circulating GRZ ministries. Parliament is expected to consider the recommendations at its next sitting in July.

Cabinet is also expected to discuss a draft comprehensive media policy by the end of June. The draft policy is expected to address three key issues: (a) media accessibility; (b) press freedom; (c) media diversity, including privatization. A clear time-table for implementing the policy will be specified. The feeling at MIBS is that the Ministry was "operating on auto pilot for a long time" because there was no ministerial leadership. But "the pressure is now on to do something before the next general election." Although reformers within Cabinet seem to be losing ground to hardliners, the reformers are arguing the MMD can't fail to honor its commitment on media reform because the donor community won't compromise on the issue. Reformers are also saying media reform will make the party look good at the next election.

If the reformers appear to hold sway publicly in convincing the GRZ to show restraint in dealing with the press, especially the privately owned newspapers, that restraint may be weakening. The attempt the weekend of June 2, 1995 to shut down the independent Post newspaper by extra-legal means is a potentially worrisome and ominous development. Publicly, the GRZ disavowed the action. But an impending Cabinet shake up, including the possible reassignment of MIBS Deputy Minister, Eric Silwamba to the State House could potentially unravel progress so far made in nudging the GRZ toward reform.

President Chiluba publicly advocates a policy of tolerance, patience, and accommodation for the vitriolic attacks the press hauls at him and his government. What he thinks privately is unclear. Hints that press freedom comes with a strong dose of responsibility cannot be overlooked in the light of attempts by some of his closest advisers to silence the Post within hours after the president told an international assemblage of journalists and jurists that he questioned a situation where newspapers sometimes act "like guided missiles thrown by misguided people." Other hints that patience may be wearing thin have been given by high government officials who caution that it is imperative for the Press Association of Zambia (PAZA) to self-police the conduct and practice of professional journalism.

Even significant elements in the donor community express concern that the press may have taken its campaign of attack journalism too far. One diplomat confided that, "Frankly, The Post has taken it to the limit with a concerted attack on personalities in government...the newspaper is guilty of poorly researched

stories." Another said that "The Post had crossed the limit of decency and professionalism." Such erosion of confidence in the independent press is a major setback for attempts to achieve media independence. It calls for reasserting commitment by the Project to two concurrent issues: (1) reinforcing training of journalists in the GRZ, particularly short-term training for entry-level journalists and senior management executives of the media; and (2) encouraging continuous policy dialogue between reformers and hard liners; between the press and government so as to consolidate the imminent gains made on press freedom and democracy. In the Team's opinion, fostering such policy debates, closely monitoring progress toward reform, and cultivating relationships with both opponents and supporters of reform are roles beyond the authority of the PAU. Instead, they are ideally suited for the DGA.

There are other policy issues that are, admittedly, crucial to consolidating media independence in the GRZ. These issues are not addressed in this evaluation because they extend beyond the scope of Project-funded activities and are really outside the framework of Project design. Such issues include the general market factors that constrain the viability of independent media. As an example, our survey of The Sun, The Post, The Times of Zambia, The Sunday Times of Zambia, The Zambia Daily Mail, and The National Mirror revealed that all the newspapers are suffering declining circulations despite rising commercial revenues from advertising. The weekly independent newspapers average about 15,000 copies. The circulation of the two government-owned dailies is down to 20,000 copies from a peak of 45,000 in the early 1980s.

The precipitous drop-offs in circulation are related to rising cover prices of newspapers, smaller disposable incomes, and massive retrenchment of workers in the public and private sectors over the last year. Other institutional and market factor explanations constrain the viability of independent media in the GRZ. These include the high cost of acquiring capital for needed improvements. For example, The Sun newspaper is shopping for a used tabloid printing press. Its best offer so far is a \$32,000 British plant. The newspaper has to raise an additional 45-50 percent for import duty. Also, \$50,000 is required for DTP equipment, printers, and software. Raising loans to finance the investments from the local banking community costs as much as 80 percent interest charges with 3-year maturity. Five-year loans are tough to obtain.

If the Project goal of promoting accountable government in the GRZ is to be achieved, partly through consolidation of media independence, it is imperative that both legislative and economic policy issues be addressed during the remainder of Project implementation.

Recommendation:

* USAID/Z should enable the DGA (in close consultation with the USIS PAO) to engage actively in policy dialogue on media independence (See recommendation below on the appointment an in-house Project Manager to assume some of the DGA's current administrative duties).

LEGISLATIVE PERFORMANCE

In mid-1991, senior officials of the then opposition Movement for Multiparty Democracy (MMD) made overtures to USAID/Z. Indicating that they anticipated winning the forthcoming October 1991 elections, these officials alerted USAID/Z that MMD expected to request support to enhance the management capacities of a new government. At that time, USAID/Z was cutting back its assistance program in Zambia after the UNIP government had refused to implement IMF and World Bank-led economic reforms during 1990. These early contacts provided a basis for USAID/Z to enter into DG programming once a new government was installed.

The legislative performance component of the Zambia Democratic Governance Project developed from these initial consultations. The Project design team rightly recognized the importance of an independent legislature in the consolidation of a democratic system in Zambia. They proposed that the quantity and quality of legislation would increase if members of parliament were more effective, if the Assembly's decisions were more transparent, and if citizens were better informed about the work of the Assembly.

The Project Paper identified a need to "build, strengthen, and reorient institutions in the governmental... sector and open up flows of information to and between citizens and institutions" As the design team argued, "the consolidation of democracy in Zambia is an important goal in itself, a vital component in economic growth, and a model of political change that is being closely watched throughout Africa." The Project was designed to take a "flexible approach" and "respond appropriately to changing circumstances." A key assumption for reaching the Project outcome of a more effective legislature was that the Speaker's office would provide "unrestricted access" for Project activities and "implement recommended reforms" (see PP Logframe).

This Mid-term Review allows USAID/Z to take stock and learn from the substantial problems encountered in the implementation of the legislative performance component of the Project. The first subsection is an overview of the recent history of the National Assembly, comparing its performance in the Second and Third Republics. This is followed by a review of the implementation of the legislative performance component of the Project. The third subsection analyzes the Project in light of what actually happened and asks whether Project designs and implementation decisions were appropriate. The final section provides recommendations for future legislative performance programming.

The National Assembly: Background

Since independence, Zambia has always had a hybrid Parliamentary-Presidential constitutional system. The executive branch has long been dominant, with the National Assembly playing a secondary and subordinate role in the Zambian policy-making process. This was especially true after the parliamentary elections of 1973 under Kenneth Kaunda's "one-party participatory democracy." In the Third Republic, inaugurated in November 1991, the Parliament is comprised of a President, 150 elected members of the National Assembly, 8 nominated members, and a Speaker elected by House members. Unlike true parliamentary systems, the head of government is not an elected member of Parliament. Rather, he or she is chosen by direct popular vote during national elections held every 5 years.

Following a Westminster model, the President's Cabinet Ministers are chosen from the elected Members of Parliament (MPs). The President is in a powerful position to draw MPs onto the front bench and thereby cement their loyalty to the government of the day. Under these circumstances, members of the National Assembly are unlikely to challenge the executive branch because Members are unwilling to cross swords with their political patron. Under the one-party state, Members' independence was further eroded by constitutional provisions which allowed the UNIP Central Committee to veto parliamentary candidates whose interests they believed inimical to those of the state. Not only could the President turn on and off the patronage taps but, through the Central Committee, he could also act as a gatekeeper, picking and choosing those individuals who might later be selected for promotion to the front bench.

Multi-partyism, however, introduced a new set of incentives for individual Members, in which they could potentially ensure their political survival more through popularity among constituents than through loyalty to the President. In theory, opposing views and ideas were therefore more likely to be included in the decision making process, assuming that there is never full and complete agreement among Parliamentarians on the issues. As a result, the National Assembly should no longer have been simply a rubber-stamp on government decisions after the 1991 multi-party elections. Regrettably that seems not to have been the case. The following data highlight this point.

Session	Number of Questions	Private Members Motions	Private Members Bills
15 January 1988 to 8 July 1988	352	--	--
18 November 1988 to 21 July 1989	265	1 turned down	--
27 October 1989 to 3 August 1990	373	3 turned down & 1 approved	--
26 October 1990 to 15 August 1991	226	--	--
October 31, 1991 -- Elections			
22 November 1991 to 4 November 1992	464	2 w/drawn & 3 turned down	--
15 January 1993 to 3 December 1993	363	1 w/drawn, 1 adopted & 1 turned down	--
19 January 1994 to 31 August 1994	295	1 adopted & 3 turned down	1 withdrawn before presentation

The table compares three indicators of legislative activity established in the Project Logframe before and after the 1991 national government elections. Column one lists the starting and ending dates of each annual session. Column two lists the total number of questions asked by back bench and opposition members during parliamentary question time. The number of motions introduced by back bench and opposition members is provided in column three. Column four lists the number of bills introduced in House by the same group.

The table shows that the average number of questions asked during the last three years of the one-party state was 304, but is 374 since 1991, an increase of nearly 23%. Controlling for the size of the House, however, the change is hardly dramatic. In the three years prior to 1991 there was a maximum of 125 elected Members at each annual session. Under the 1991 Constitution the number of elected members was increased to 150. Therefore the average number of questions asked *per elected member* in the three years prior to 1991 was 2.4. In the three years after that had increased to 2.5, a change of only 4.0%

Column two shows that in the last three years prior to 1991, five motions were introduced by opposition and back bench Members during House. Of these five, only one was adopted. In the first three years after 1991, twelve motions have been introduced, but only two adopted. While opposition and back benchers appear more willing to introduce their own legislative proposals, they appear not to have been successful at moving those motions through the House.

Column three highlights back bench and opposition Members' unwillingness and/or inability to move their own legislative proposals. Ongoing project-funded research indicates that no Private Member's Bill has ever been approved during House debates. One such bill was prepared in 1994, but never introduced to the house after government agreed to adopt the provisions contained therein in the 1995 estimated budget. In this case, back bench members appear to have influenced public-policy making by preparing to bring legislation forward but that technique has not been used since.

While these indicators cannot assess the quality of Members' participation, they do seem to suggest that little has changed regarding the quantity of participation, despite the election of better educated, younger, and (presumably) more energetic MPs. What might explain this?

First, the Constitutional balance of power between the government branches has remained virtually unchanged since 1964, despite the introduction, prohibition, and re-introduction of plural politics (see Bach, 1994). Second, the resources available to Members of Parliament are as limited today as they were under the one-party state. Members do not have access to personal research staffs, trained policy analysts or legal drafting experts dedicated to enhancing their legislative efforts. Further, they are frustrated by limited computer and communication facilities, office space, and the lack of current research materials relevant to policy makers.

Third, while some Members are financially and professionally secure outside of Parliament, others are not. Many still depend on their National Assembly salaries and vehicles for income and on their party's support for personal political capital. This is especially true given the demands constituents in Zambia place on Members' personal finances. Besides having to bear many of the costs associated with trips between their constituencies and Lusaka, Members are frequently asked to contribute to local development projects and social programs in their constituencies. Members are also expected to cover constituents' more specific and immediate needs such as funeral expenses, emergency food, and school supplies. While some Members can afford these requests, others cannot and refusing to make these donations often comes at great political risk. As a result, many Members' independence is

still compromised by their reliance on government largesse to augment their limited personal resources.

Finally, it can also be argued that the Assembly in the Second Republic was more active and independent than analysts previously assumed. While a fitting portrayal of some Zambian Assemblies, the "rubber-stamp" theory (according to which a parliament automatically ratifies any legislative proposal submitted by the executive branch) neglects the important role independent individuals played in the Second Republic. These Members sometimes catalyzed others against government proposals, despite difficult circumstances. For example, only at the height of one-party dominance has a Zambian Assembly ever successfully voted to reduce what they considered an inappropriate government estimate during budget debates (the 1980 vote on estimated Foreign Affairs expenditures)⁷. The current Assembly has never taken such an action. Consequently, it is inappropriate to expect drastic changes in the identified performance indicators since the efficacy of National Assemblies under the one-party state may have been underestimated.

In order for the National Assembly to perform as an autonomous participant in policy-making, individual Members must be willing to do so. Members constrained by reliance on political patronage and scarce Assembly resources cannot be expected to act as effective monitors of government activity. The effectiveness of democratization programs comes from altering the incentives actors have to behave in selfish ways. Electoral pressures will not motivate legislators to act independently if the costs of their independence outweigh the benefits. The following section examines and assesses the Project itself by concentrating on the following questions: did the Project design adequately promote and assist in the creation of these new incentives? What barriers did USAID/Z face in the promotion of these new incentives? And how can these barriers be overcome?

The Legislative Performance Component: Implementation

USAID/Z recognized from the outset that programming in the Zambian National Assembly was likely to be problematic. The Project design team acknowledged this difficulty by creating a two-phased implementation plan based on the Assembly's demonstration of a commitment to organizational reform. According to the MOU of February 26, 1993, USAID/Z would implement investments targeted at institutional strengthening only after a series of conditions

⁷ While the Constitution contains a provision preventing the Assembly from passing any motion or Bill which "incurs an expense" on government's accounts or raises taxes, nothing in the provision prevents the Assembly from moving a motion to spend less if they so desire.

precedent were met. The following account briefly highlights some significant moments in the implementation of this component.

The Project Paper, completed in September 1992, outlined a two-phase work program. Phase One was a series of three baseline studies on (a) Parliament's relationship to other decision-making institutions (b) the structure of the National Assembly, especially the distribution of functions within the committee system, and (c) Parliamentary administration, including personnel administration. The findings and recommendations of these studies were to be presented to Mr. Speaker. Phase Two provided for the augmentation of National Assembly staff, international study tours, creation of a legal drafting fund, library resources, and technical/material assistance to facilitate documentation and publication of Assembly documents. The contents of the Project Paper were negotiated and agreed to by the Deputy Speaker and the Clerk of the National Assembly.

In November 1992, the Deputy Clerk informed the PRM/USAID that the Speaker had appointed a Legislative Performance Study Group (LPSG) to enact the work program discussed in the Project Paper. The chairman of the LPSG was the Deputy Speaker and the deputy Clerk was given the day-to-day responsibility of guiding the LPSG program through the National Assembly. Between December 1992 and January 1993, the group met regularly to establish an action plan for studies, solicit testimony from outside resource persons, to propose provincial seminars, and to plan Members' workshops. To USAID/Z's surprise, the Clerk's Office summarily removed the Deputy Clerk from the study group in January 1993 and reassigned him to other duties within the Assembly.

The MOU was signed on February 26, 1993 by the USAID/Z Director and Hon. Deputy Speaker on behalf of Mr. Speaker. The LPSG adopted the work plan outlined in the Project Paper with the addition of a fourth study on MP-constituency relations recommended by the Regional DGA/USAID/REDSO/ESA. The LPSG proposed to complete these four studies by proposing surveys of Assembly Staff as well as Members of Parliament, and a series of workshops for Members.

It is important to note that the MOU was signed after the National Assembly's 1993 Budget had been approved by the House. Consequently, the National Assembly had not incorporated their share of the Project's counterpart funds into estimated expenditures. Despite this difficulty, on March 10th, 1993 the USAID/Z Director wrote the National Assembly informing them of their proposal to "earmark and commit" \$75,000 for initial funding of the Legislative Performance Component.

On March 31, 1993, little more than one month after his removal from the LPSG, the Deputy Clerk's position at the National Assembly was dissolved by the Clerk, purportedly as part of the ongoing restructuring program necessitated by the cash budget.

This position was not reinstated, despite an April 3rd Cabinet meeting at which the matter was discussed. The LPSG thus lost one of its most vocal and active supporter in the National Assembly.

Approximately one month later, the Deputy Speaker resigned as Chairman of the LPSG, ostensibly because of commitments to a two-week study trip to Cuba. With his resignation, the LPSG lost a second vocal and effective reformer in the National Assembly. Mr. Speaker chose the Deputy Minister of Local Government and Housing as his replacement, in contravention of the MOU which stated that the LPSG would be chaired by the Deputy Speaker.

On May 28, 1993 the U.S. Ambassador eventually received a reply from the Protocol Department of Zambian Ministry of Foreign Affairs addressing his request to meet with the Speaker of the Assembly. Ostensibly, the meeting aimed to discuss delays in completion of Phase One of the Project. In their response, the Protocol Department informed the Ambassador that his request had been passed to the Clerk's office at the National Assembly. The Ambassador was later granted an "audience" with Mr. Speaker, though no substantive business was discussed and by June 22, 1993 the DGA expressed concern that the Project was at a delicate juncture because of Phase One implementation delays.

USAID/Z was next informed of Mr. Speaker's decisions to cancel two more of the LPSG's planned activities. It first received notification on July 8, 1993 that the scheduled July 24-25 workshop for MPs was postponed because (a) the National Assembly lacked the requisite counterpart funds and (b) the meeting constituted a sitting of the house which only government could initiate and for which the Assembly would be responsible. Later, on August 13, 1993 the Speaker canceled the first provincial seminar scheduled for August 14 and 15, 1993 in Ndola, because of (a) "political developments in the country," presumably the resignation of 9 MMD members to form the NP, and (b) the National Assembly's inability to supply counterpart funds, even though the seminars were to be fully funded by USAID/Z.

Finally, on August 24, 1993, the LPSG wrote to USAID/Z informing them of their decision to indefinitely postpone the provincial seminars because of budget constraints. In response, the DGA notified the LPSG that he would explore the possibility of making up the shortfalls but made no firm commitment to do so. Financial matters appeared not to be Mr. Speaker's only concern, however, because four days later the DGA wrote the USAID/Z Director indicating that at least one member of the LPSG believed the delays resulted from the Speaker's concern for the "Americanization" of his parliament.

After nearly ten months of limited activity by the LPSG, the DGA and DCM met with the Deputy Speaker and Clerk Assistant on

June 16, 1994, to discuss ways to resuscitate the Project. The Deputy Clerk emphasized funding delays resulting from the Government's cash budget program as the major impediment to LPSG activities, even though they had been granted and estimated expenditure of 12 million Kwacha in the 1994 budget. The DCM noted that the new U.S. Ambassador had still not been given an opportunity to meet with Mr. Speaker, but remained interested in doing so. According to meeting records, both concluded by agreeing that the Project should proceed "full steam ahead."

Two weeks later, however, on June 30, 1994 the LPSG wrote USAID/Z expressing their desire to amend the MOU. Their proposed amendments included elimination of questionnaires for both MPs and Assembly staff and cancellation of Members' workshops. In their letter they explained this request by stating that the MOU had not properly considered the legal rights and privileges given to Assembly administrators, staff and MPs contained in the Constitution, Standing Orders, and Assembly Powers and Privileges of the Laws of Zambia.

USAID/Z responded by accepting the study group's proposed amendments, if they also would accept elimination of the proposed provincial study tours. USAID/Z recognized the limited cost effectiveness of provincial tours given the study group's inability to first analyze the administrative framework of the National Assembly itself as well as the attitudes and ideas of the most important participants, the Members themselves. No record of an LPSG response to this request could be found in USAID/Z files.

Funding for the Project was rescinded on January 17, 1995 in the USAID/Z Mission Director's letter to the Speaker notifying him of USAID/Z's decision to cease Project funding "with immediate effect." On January 24, 1995 the Speaker responded to the Director saying that the decision to withdraw funding "appears to automatically bring to an end the work of the LPSG" and that the difficulties are based on USAID's "misunderstanding of the internal Constitutional arrangements among all concerned on our part, not prudently discussed in this letter." The Speaker continued by saying "As suggested in your letter, discussions would be possible but I am of the view that since the contents of the MOU hinge on the Project Grant Agreement, the starting point would be consultations with the Executive arm of government which would be obliged to consult the legislature as desirable."

Analyses

As designed, the legislative performance component of the Project had three primary strengths.

(1) USAID/Z involved client personnel early in the design and implementation stages. The Project Design Team emphasized a participatory approach with National Assembly administrators, was

highly consultative, and provided ample opportunities for the project clients to shape and design the course of work.

(2) The Project identified some of the major impediments to full participation by MPs in policy formulation, including National Assembly administration, rules and resources. These constraints remain today.

(3) The Project supplied resources to address these impediments in the form of appropriate inputs: a legal drafting fund; staff augmentations; increased information on which Members could make decisions through study tours and library resources; and improvements to documentation and publication facilities.

Despite these positive aspects, the Project was beset by problems from the its early days, some of which were the responsibility of USAID/Z, and others which clearly were not.

(1) The turnover of key personnel inhibited continuity in project management. This factor affected key supporters of the Project outside the Assembly, such as successive Ministers of Legal Affairs. Others occupied key positions on the LPSG, most notably the Deputy Speaker and the Deputy Clerk. Their reassignments left voids at key positions and undermined momentum in pursuing Project goals.

(2) After the MOU was signed, the administrative leaders of the National Assembly evidently decided that there were elements in the Project they could not accept. The Speaker's office and the Clerk were fully consulted during Project design and were believed to be fully cognizant of the Project's goals, objectives and program. Nevertheless, the Assembly administration apparently concluded that the LPSG represented a potentially serious threat to their authority. Thereafter, they created a series of roadblocks designed to frustrate the program of work adopted by the highly motivated members of the LPSG.

(3) The LPSG was unable to build constituencies either within or outside the Assembly that were willing to defend the Project. In the judgment of this Review Team, the members of LPSG were (and remain) committed the basic objectives of the Project. But they have been unable to translate this commitment into meaningful support among reform-minded back benchers in Parliament. For example, they were prevented by the Assembly administration from publicizing their activities in the House. But, in our judgment, the LPSG could have done more to create a "critical mass" of Project supporters willing and able to challenge administrative delays.

(4) By mid-1993 when the DGA arrived, problems with this project component had already emerged. In this context, the DGA played an important and positive role in responding to adjustments requested

by the LPSG. His efforts, which included attending LPSG meetings and personal consultations with LPSG members, helped maintain Project momentum despite difficulties faced by the group. But pressures of office work on the DGA may have inhibited his ability to complement the efforts of reformers in building demand for the project among MPs or devising alternative means to promote legislative performance.

(5) The Design Team was overemphasized the legislative and policy-making responsibilities of the National Assembly at the expense of constituency relations. This shortcoming was partly rectified by a proposed study on MP-constituency relations, which was never implemented. But the main design flaw was the focus on an institution in the capital city without adequately addressing the communications gap between MPs and their constituents, especially in rural areas. The project purpose indicators contained in the baseline study are indicative of this bias: number of amendments moved, bills passed, questions asked, and so forth. USAID/Z need not have limited itself to the formal institution of Parliament, particularly in light of expected programming difficulties at the Assembly. The final section provides a series of policy recommendations designed to address these issues.

Conclusions and Recommendations

The Project correctly identified the need for improved legislative performance as a key element in Zambia's democratization. Despite the stagnation of the legislative performance component, this analysis remains valid.

Capacity-building programs at the National Assembly will not succeed until the Assembly administration allows greater transparency and participation in Assembly procedures. The Review Team endorses USAID/Z's decision to terminate funding on the grounds that, by electing to prevent the development of reform recommendations by the LPSG, the Speaker's office did not meet the condition precedent in the MOU. By the same token, USAID/Z can learn from this experience that, at least under the current administrative leadership of the National Assembly, certain areas of institutional reform remain too sensitive for DG program initiatives. It is our considered opinion, however, that the obstacles encountered in Zambia are attributable to particular Assembly administrators and do not amount to a generic problem with legislative performance projects in general.

The only remaining question is whether legislative performance in Zambia can be enhanced through activities that do not directly involve the institution of the National Assembly itself. Having learned that supply side opportunities are at least temporarily unavailable, USAID/Z should consider alternative programming opportunities on the demand side of the political process. More specifically, the performance of legislators may be

improved with interventions to enable constituents to demand more effective performance from their representatives.

Recommendations:

* USAID/Z should transfer funds (initially approximately \$100,000) from the budget of the Legislative Performance component to the Civic Action Fund with a view to sponsoring one or more small grants competition(s) for NGOs with programs to promote the responsiveness of MP's to constituents.

* USAID/Z should include in the scope of work for project redesign an analysis of the feasibility of transferring the legal drafting fund to a private or non-profit entity within Zambia (e.g. the Law Association of Zambia).

* The DGA should monitor developments at the National Assembly, particularly in the wake of the 1996 general elections, to ascertain whether internal organizational conditions change to the point that discussions could be re-opened with the Assembly Administration concerning direct support to the Assembly as an institution.

POLICY COORDINATION

Introduction and Background

Before the Zambian Movement for Multiparty Democracy (MMD) ascended to office in 1991, it had already sought the assistance of various donor organizations in equipping it to run the government effectively. The Cabinet Office (CO) under the Second Republic had been reduced to the role of passively circulating Cabinet decisions to ministries. It did not perform any meaningful role in policy analysis, coordination, monitoring and evaluation. The Project paper aptly notes: "Under Kaunda, the Office of the President was an all-powerful center of decision-making, and the Cabinet and civil service were reduced to the role of implementing presidential policy directives. The contribution of technocrats to policy analysis was denigrated, leading to low morale throughout the executive branch". The reforms that the MMD had promised the citizens during the elections could not have been easy to implement without significant support from the international community. Efforts were, therefore, made to seek donor support for democratic governance reforms.

One of the organizations approached by the MMD was the USAID/Zambia which, in response, organized two technical assistance missions to explore potential governance programming opportunities during 1991 and early 1992 through USAID/W's Implementing Policy Change (IPC) Project. By mid-1992, these initiatives were folded into the present, comprehensive Zambia Democratic Governance Project. The memorandum which sought approval for the DG Project from USAID/Washington, states in part, "The Project is a host-driven initiative which reflects needs expressed by Zambian citizens and their government and which evolved in full consultation with prospective grantee institutions". One of the "grantee institutions" was the Cabinet Office (CO).

The policy coordination component of the DG Project aimed to provide support to the CO so that it could become the "nerve center" of Government. It was, therefore, proposed to create a unit which would have responsibility in such areas as policy coordination and the monitoring of ministries' implementation of Cabinet decisions. The Public Service Reform Program (PSRP), which is funded by the United Nations Development Program (UNDP) and other donors, had already embarked on an exercise to re-organize the CO by creating a number of Divisions which have very specific responsibilities.

The creation of the Policy Analysis and Coordination (PAC) Division in the Government of the Republic of Zambia (GRZ) Cabinet Office was formally approved through Cabinet Circular Number 12 (July 30, 1993). PAC was created by merging the now defunct Economic and Finance stream with the Cabinet Affairs stream. The rationale for the formation of PAC was that Cabinet's

constitutional policy-making responsibility needs to be supported by professional management of the functions that Cabinet must perform, and of the specific issues that Cabinet is asked to deal with by line ministries. These issues, which are largely policy issues, require high-quality analysis from a national rather than from a single ministry perspective. PAC was therefore, perceived as the Division which could provide such professionally sound analysis and provide independent advice to the Cabinet.

At the design stage of the Zambia DG Project, the central functions of PAC were identified as twofold: to examine and analyze ministerial submissions to Cabinet with the aim of (a) assessing their consistency with overall government policy; (b) determining the implications of ministerial submissions for other units of Government; and, (c) providing an independent analytical assessment and advice, from a national as opposed to a ministerial perspective, to Cabinet. The second function was that PAC would facilitate ministries' implementation, monitoring and evaluation of Cabinet decisions. To undertake this latter role, PAC would, necessarily, have to carry out a coordinative role, especially where more than one ministry is involved. The Project Baseline Study (June, 1993) observes that PAC does have an additional function, that of taking and producing Cabinet minutes.

Institutional Status:

Staff and Internal Organization

PAC has a full complement of staff comprising one Permanent Secretary (PS), three Chief Policy Analysts (CPAs), six Principal Policy Analysts (PPAs), and two administrators. All but three of these staff members hold Masters degrees or some post-graduate training in specific fields. The whole of the Civil Service was searched for appropriate staff. Several civil servants were interviewed and some were offered posts in PAC. Through its PS, PAC reports to the Deputy Secretary to Cabinet, who, in turn, reports to the Secretary to Cabinet (SC).

PAC is organized into three Desks, namely: (a) Finance and Economic Development; (b) Domestic, Regional and International Affairs; and, (c) Social and Human Development. Each Desk is headed by a CPA who works closely with two PPAs below him. PAC therefore, has a hierarchical structure which closely resembles the structure of the rest of the Zambian Public Service. Each of the three Desks has responsibility for a group of portfolio ministries, and handles the submissions of these ministries to Cabinet. PAC members also work closely with the ministry-based Cabinet Liaison Officers (CLOs) in the preparation of memoranda to Cabinet. This gives PAC members an opportunity to make input into the formulation of policy right from the outset.

Operational arrangements

The arrangement that PAC members work hand-in-hand with ministries in the preparation of Cabinet memoranda ensures that ministries follow the format for preparing these memoranda, thus reducing the possibility of such memoranda being returned to the ministries. The laid-down format attempts to ensure that all the relevant information needed by Cabinet to make accurate and holistic decisions is included in the memoranda. Recently, there has been added a requirement that a policy implementation plan be included in each memorandum from a ministry to Cabinet. PAC, with the assistance of visiting TAs, is currently working on the format of such a work-plan.

The policy implementation plan will be invaluable to both the ministries concerned and to PAC for the purposes of carrying out meaningful monitoring and evaluation (M&E) activities. The work-plan can also be utilized to facilitate effective coordination of the implementation of Cabinet decisions by portfolio ministries. It must, however, be noted that PAC does not, currently, carry out any of the M&E functions to any significant degree. CLOs in the various ministries have also been recently trained in M&E and will, certainly, need further training before they are competent enough to confidently and effectively carry out M&E activities.

As part of the restructuring and re-organization of Cabinet, the GRZ is reactivating the hitherto dormant Cabinet Committees (CCs), which derive their existence under Section 50(1) of the Constitution of the Republic of Zambia. Cabinet has recently decided that "...all policy matters requiring the attention of Cabinet shall first be dealt with by Cabinet Committees before they are submitted to Cabinet" (Circular Minute from SC to all PSSs, dated May 22, 1995). The number of CCs has been reduced to seven. PAC will be required to service six of these CCs while the seventh will be serviced by the Attorney General's Chambers.

An additional area of activities for PAC relates to the recently approved Inter-Ministerial Committees of Officials (IMCOs). These were approved after the first ever Cabinet workshop which was held at State House in January, 1995. IMCOs are *ad hoc* arrangements which are convened when more than one Ministry is involved in an issue, or where the issue concerned is particularly important or complex. IMCOs are also held when a number of ministries would like to be involved in policy formulation. They are an administrative mechanism which have the purpose of enhancing coordination and facilitating multi-disciplinary input into the conceptualization, coordination and implementation of public policy. It is hoped that IMCOs will resolve as many policy related problems as possible before submissions are made to either Cabinet or to CCs. IMCOs are convened by the CLO representing the originating Ministry, and are chaired by a PAC official. Secretarial services are provided by the originating Ministry.

The servicing of both Cabinet and its committees entails, *inter alia*, the writing of minutes by PAC, the recording of Cabinet decisions and their conveyance to the relevant Ministries for implementation. Cabinet recently decided that only the memorandum and the conclusions (decisions) need be recorded during Cabinet meetings. Cabinet deliberations no longer have to be recorded *verbatim*. PAC will, however, be required to record the submissions, the narrative (summary of deliberations) and the conclusions of CCs.

Technical Support and Training

Initially, problems and delays were encountered in implementing this project component. Central to these were the GRZ's desire to alter the configuration of technical assistance and complications arising from the expiry of the "buy-in" contract with the USAID/W's Implementing Policy Change (IPC) activity. The GRZ's refusal to approve a long-term TA agreement resulted in the resort to an increase in the short-term TA visits by experts. The contracting issue was eventually resolved in September 1994 by means of a TA contract with directly with MSI/Abt Associates, who had previously been party to the IPC arrangement. The successful resolution of these problems has meant that three TAs from these contractors have been able to work closely with PAC in carrying out most of the tasks identified in the Project documents, thereby providing continuity for this component of the Project. It must be stated here that the DGA spared no efforts in seeking ways and means of resolving these problems.

MSI/Abt Associates, as the main contractor, have built a team of short-term TAs who visit Zambia regularly for two to three weeks to train PAC staff. They have established excellent rapport with the SC and PAC staff and developed an innovative and collaborative implementation strategy. From the outset, the contractors helped the PAC think through its mission, organization, and operations, as reflected in the assistance they provided on their first TDY in helping draft PAC's terms of reference. The TA was based throughout on the conviction that the staff of the Cabinet Office and PAC understood better than anyone else the existing problems with, and potential solutions to, old Cabinet procedures. The strategy also aimed to put a more effective policy management process in place before embarking on participant training.

So far, the TAs have covered considerable ground in preparation of Cabinet memoranda, monitoring and evaluation, and basics in policy formulation, analysis and co-ordination. MSI/Abt Associates have also arranged study tours for two PAC staff members to Canada, and another two to Australia. Both Canada and Australia have the Westminster type of cabinet systems and so these tours generated some positive and relevant results. The TAs also prepared a six-country Cabinet Profiles Report which was well received from

which PAC and the GRZ Cabinet have learnt some good lessons. Several changes have since been made to GRZ's Cabinet organization and operations as a result of both the study tours and the cabinet profiles. Apart from holding several workshops for PAC, TAs also organized the January, 1995 Cabinet Workshop at State House, which was attended by Cabinet Ministers and PAC. Nineteen PAC recommendations for the improvement of policy formulation and implementation were presented to Cabinet. All of these were accepted with minor adjustments to only two recommendations.

At the time of this review, most of these recommendations have since been, or are currently being implemented. A workshop to which PSs from all Ministries were invited was held in November, 1993, and PAC and the TAs made presentations covering the proposed main functions of PAC. At least, four workshops have so far been conducted to ensure that PAC is effectively introduced to line ministries. A further three training workshops targeted at PAC and CLOs have also been conducted in and outside of Lusaka. A workshop which has the objective of enabling PSs to "have full understanding of the new policy formulation and implementation process" is scheduled to begin mid-June.

TA support to PAC has contributed to the following positive developments:

- * PAC's competence in the reviewing of Cabinet memoranda and the management of policy is improving;
- * The quality of Cabinet minutes and memoranda has improved significantly;
- * Both the President and the SC strongly support PAC, the DG Project and the TAs' work with PAC; and,
- * Most of the recommendations made to Cabinet by PAC at the January, 1995 workshop have since been, or are in the process of being implemented.

The cordial relationships that the TAs have developed with key people in the GRZ enables them to propose changes to the status quo without serious political problems. This further assists in ensuring that both CO and PAC will receive the confidence and co-operation of line ministries in the implementation of the proposed policy process.

Equipment

The Project has provided all PAC staff with desk-top personal computers. These are largely used for word-processing. Very few of the PAC staff have any other skills in the use of computers for their work. No database containing the decisions that Cabinet has approved has as yet been created, but the computers

have assisted in speeding up the processing of Cabinet minutes by PAC. Only one of the PAC staff uses his computer for the preparation of spreadsheets. AID has not contracted a local vendor to service and maintain the computers, or to provide consumables. At the time of this review, three of the twelve computers were not operational, and one of the three laser printers had run out of toner.

PAC staff do not yet know how to make use of appropriate software packages for quantitative data processing (e.g. SPSS-X) or for policy formulation and analysis, or for planning. PAC is scheduled to move into a more spacious building in the near future, and it is hoped that the PAC computers will be locally networked, as well as linked to such other national coordinating institutions as the National Commission for Development Planning (NCDP), the Central Statistical Office (CSO), and the Ministry of Finance (MOF). Eventually, PAC should be able to be linked to all line ministries. It should be possible to develop a sound database then, which will significantly facilitate PAC's coordinative function.

Finally, AID has made available to PAC, one vehicle which is generally used for the conveyance of Cabinet decisions and other PAC related documentation to various Ministries. There are arrangements for the provision of a second vehicle if the need should arise. The vehicle is made available to PAC on full-time basis during working hours and on request outside normal working hours. This is in compliance with USAID's policy regarding project support vehicles.

Relations with other Programs

There is very little that the Team could find to represent PAC's linkages with other components of the Project. The nature of Cabinet work is such that there is limited interface between this "nerve center" of government and other institutions of democratic governance. It must be admitted, however, that programs that are supported by different donors tend to be quite difficult to link as attempts are made not to step on each other's toes. The SC is on record as preferring not to "mix up things". There may also be an implementation lapse manifest, for example, in the failure to conduct the planned PAC/House of Assembly workshop. But there may still be an opportunity to organize this workshop in the remaining half of the duration of the Project.

There are several other donor supported public service and public sector reform programs which PAC could, but does not link to. A good example is the United Nations Development Program (UNDP) funded Public Service Reform Program (PSRP) which is located in the Management Development Division (MDD) of the Cabinet Office. At the workshop organized by PAC to introduce itself to ministries and PSs, the MDD PS stated that his Division will coordinate the ministries' implementation of the PSRP, and that PAC's relationship

with the PSRP was that of strengthening policy articulation. In an interview with a member of this Team, however, The MDD PS indicated that because PAC is currently unable to facilitate the policy process adequately, there is limited, if any link with his Division. SC basically argued that this is not the role of PAC. Rather, this role is played by Cabinet itself when the proposed policies of various ministries are submitted.

PAC also has limited if any functional relationships with the Ministry of Health, Management Development Support; which seeks to develop management skills among technical staff; the program is funded by the Swedish International Development Authority (SIDA). The Irish Government and the World Bank are undertaking several programs to assist the GRZ in its reform process. It is hoped that when PAC is more confident in some of its primary responsibilities, it will be able to forge linkages with all of these programs. PAC is not operating in a political or administrative vacuum. Rather, it is operating within an active environment of change. It is, therefore, imperative that PAC interacts, at least, functionally, with other institutions, and that its programs relate in some way with other programs that are occurring in the Zambian Public Service. This will be necessary if policy proposals, intentions and outcomes are to be accurately analysed, coordinated, monitored and evaluated.

Analysis and Recommendations

This section of the report is based on the indicators reflected in the PP Logframe.

With reference to the establishment of PAC, it can safely be stated that virtually all the expected activities have so far been accomplished. The staff have been appointed; terms of reference have been agreed upon; equipment has been provided; and, several workshops have been held. The only workshop which has not been held is the one with the National Assembly. The SC feels that there will be nothing to be gained by holding this planned workshop with the National Assembly. It has already been stated that the GRZ was opposed to a long-term TA based in Cabinet, and the contractors must be credited with devising a viable alternative by increasing the number and frequency of short-term TAs to PAC. The SC also feels strongly that the appropriate TAs should be those who have significant experience in cabinet systems. To respond to this need in a positive manner, MSI as the main contractor have at times engaged short-term TAs from countries which have cabinet systems of the Westminster type. This flexibility on the part of the contractor is to be commended since it results in the building of trust between the Project managers, advisors, TAs and PAC itself. Moreover, the contractors have built a commendable rapport and acceptance of PAC's contributions among with senior government Ministers and with the President himself.

In addition to the delivery outputs, there is evidence of results on Project purposes or "outcomes", as measured against baseline indicators from June 1993). Public decision-making has become more effective in Zambia as a result of progress on some of PAC's main functions:

* The quality of memoranda submitted to Cabinet has improved as a consequence of improved consultation between PAC and the staff of originating Ministries. PAC staff now chair meetings with the ministries (usually represented by CLOs, but sometimes by PSs) during the preparation of policy proposals to Cabinet. A new standard format for memoranda was approved at the Cabinet Workshop in January 1995 that requires that expected impacts of policies be clearly stated, that policy options be discussed, and that an implementation plan be prepared. Since Cabinet now holds PAC responsible for the quality of submissions, memoranda are now rarely submitted to Cabinet without PAC revisions. The Cabinet has also required that all ministries clarify their policies by mid-1995.

* The timeliness of producing documents supporting Cabinet decisions has improved. The problem of the disappearance of submitted memoranda within Cabinet Office has now been eliminated, with PAC staff stating that they have no current problems locating files. The lead time for the distribution of Cabinet memoranda has been extended, with papers for Cabinet meetings now circulated one week (rather than a few days) in advance. Since the Cabinet Workshop decided to adopt the recording of Cabinet decisions rather than full minutes, it should now be possible for directives to be conveyed to implementing ministries immediately following Cabinet meetings, rather than a week later as has been the norm.

* The PS/PAC chairs meetings of relevant PSs to prepare coordinated implementation plans for decisions that involve more than one ministry. There is also some evidence that IMCO meetings have fostered inter-ministerial contact and broken coordination bottlenecks.

* A start has been made in upgrading the monitoring of the implementation of Cabinet decisions. Ministerial proposals to Cabinet should include implementation plans, but it is unclear how many actually do so. The contractors reported in April 11, 1995 that "an implementation reporting system has not yet been put in place", a situation confirmed by this Review.

Moreover, PAC's role in the coordination of strategic policy initiatives is still significantly limited. PAC still needs further training in order to effectively contribute to national policy strategy. TAs have indicated that the period from now onwards will be a period of intensive training during which PAC should acquire the requisite skills.

The MSI/Abt contractors make the case that PAC is not supposed to undertake any substantive policy formulation. They state: "PAC's principal responsibility is to manage the new process, to make sure ministries collaborate in the design and implementation of policies....What PAC will not do is policy formulation....PAC will however help in the policy formulation process through the IMCOs by managing the policy formulation process". Technically this is fair argument. But how will PAC "manage" a process it lacks skills in? The Review Team considers that line ministries have the initial responsibility of formulating policies, while PAC has the responsibility of facilitating, analyzing, coordinating and monitoring the process. This necessarily means that PAC clearly requires skills in the full gamut of the policy process. Without belaboring that point, we note that all the views expressed in this Review of the policy coordination component of the Project reflect opinions voiced by PAC staff themselves.

As noted above, the role of PAC in the implementation of Cabinet decisions and policies is largely that of a facilitator. Portfolio ministries still play the crucial role of implementing Cabinet decisions. PAC has, however, been tasked with putting into place appropriate systems for monitoring and evaluating the ministries' activities in policy implementation. These systems are in the process of being designed. Line ministries are keen to cooperate with PAC in this exercise since Cabinet approved the relevant recommendations in January, 1995.

Staff and Internal Organization

The GRZ must be complimented for recruiting highly educated civil servants into PAC. All but three officers in the top three levels of PAC have some post-graduate qualification. This is critically important if PAC is to effectively deal with the multi-faceted development and governance issues that emanate from portfolio ministries. The method of recruiting these civil servants, however, could have been improved upon by advertising all the posts in the mass media, and filling them with the best qualified people. Apart from facilitating meaningful levels of transparency, this would have ensured that junior officers such as PPAs are not better qualified than their seniors in PAC.

The Team investigated the need for a PAC officer with legal qualifications, which was recommended at the PAC/PSS workshop. It was established that demand for such a position certainly exists given the legal ramifications of the various policies and memoranda that PAC has to handle. We however suggest that PAC should have a Principal Policy Analyst/Legal at the level of PMS2. This officer will be tasked with: "1) reviewing incoming Cabinet memoranda, Cabinet decisions and implementation plans from a legislative and regulatory point of view; 2) attending Cabinet meetings; and, 3) liaising with the Ministry of Legal Affairs on

comments from Cabinet. The primary purpose of the PPA/Legal will be to provide badly needed linkage between PAC/Cabinet and the Ministry of Legal Affairs.

Rather than create a Legal Desk in PAC, we suggest that the PPA/Legal be attached to the Domestic, Regional and International Affairs Desk. This Desk handles a high volume of documents which need considerable legal analysis. The one PPA who currently handles the bilateral, regional and international business is severely over-loaded. The other PPA largely deals with political matters that reach this Desk. The proposed PPA/Legal should, however, also be able to deal with legal matters which relate to the memoranda that are destined for the other two Desks as the list of proposed duties above indicates.

Recommendations:

- PAC should ensure that it is staffed by officers who meet the minimum educational and professional qualifications set out in the "Training Needs Analysis for PAC staff". Current staff who lack these qualifications should be assisted to attain them, or be re-assigned elsewhere in the Civil Service.

- * PAC should create the post of PPA/Legal within the Domestic, Regional and International Affairs Desk, at the grade of PMS2.

Operational Arrangements

PAC staff work very long hours, and sometimes seven days per week. This, obviously, has negative consequences for their performance at work and their family and social lives. A "crude" survey undertaken by the Team indicated that, on the average, PAC members work, at least, three week-ends in each month, and from 8 a.m. to 8 p.m. during week days. The new approach to the writing of Cabinet minutes is, certainly, going to reduce the work load to some extent. But the gains in this area will be swallowed up by the role that PAC will play in the servicing of six CCs and the IMCOs. In real terms, PAC's work-load is going to increase in the short-term as some of the recommendations made to Cabinet in January are implemented.

The major task that PAC currently undertakes is the writing of Cabinet minutes and the conveyance of Cabinet decisions to portfolio ministries. It is ironic that what the Baseline Study calls "...one additional responsibility...which was not included in the memorandum of understanding", has now become the primary role of PAC. The fact that only Cabinet decisions are now recorded makes a significant difference, but this is nullified by the requirement that the submission, narration and decisions of CCs will all need to be recorded before being passed on to Cabinet. It is worth noting, however, that PAC wishes to reduce the burden of minute-

taking, has done so considerably over the past year, and supports the long-term goal of eliminating minutes in favor of recording the decisions of both Cabinet Committees and Cabinet.

But there is yet another way of looking at this current emphasis on the writing of Cabinet minutes by PAC. Indeed, it is, as the Baseline Study aptly notes, "...a logical inclusion [which]... supports the analysis and coordination functions by exposing staff to the process of policy decision-making in Cabinet meetings". That it currently consumes about 50% of PAC's working time does cause problems for the Division in terms of its stated functions, and the expectations that the rest of the Civil Service may have of PAC. Indeed, the review Team was frequently told by PSS from other Divisions and Ministries, "We have not seen the outputs of PAC yet, apart from improved Cabinet minutes. We have not seen any policy formulation and analysis by PAC".

Recommendations:

* PAC leadership, with the full participation of all PAC members, should investigate the current internal organization and procedures, and devise the optimum ways of managing all the work that the Division is expected to carry out.

• AID and the TAs should make concerted efforts to facilitate the training of PAC staff in policy formulation and analysis. We believe the best possible approach will be medium to long-term institutional training on a rotational basis for PAC staff, at such management training institutions as the East and Southern African Management Institute (ESAMI) in Tanzania, Mananga in Swaziland, or further afield in the USA or in Britain.

Technical Support and Training

The terms of reference for PAC state that its primary objective is that of "improving the effectiveness of Government by providing the Cabinet with high-quality advice, and assisting the Cabinet to coordinate and implement policies". To this end, PAC is expected to analyze ministerial submissions to Cabinet, prepare Cabinet minutes and convey Cabinet decisions to Ministries, as well as coordinate, monitor and evaluate the implementation of Cabinet decisions by Ministries. It is rather unfortunate that since its formation, PAC has largely been involved in the least policy-oriented of its functions - minute writing. Evidence available to this Team indicates that the various workshops that have been held so far have not succeeded in enabling PAC to acquire the requisite skills in policy formulation and analysis.

Efforts to recruit Zambian TA through advertisements in the local press and The Economist were met with limited response and those interviewed were rejected by the SC and PAC. On the

advice of the DGA, the contractors have ensured that some of the foreign TAs who are participating in the PAC component of the Project come from Commonwealth countries such as Britain and Australia. Further, correspondence in the USAID/Z files indicates that the DGA spared no efforts to try and recruit a Zambian expert to work with PAC.

Recommendation:

- PAC, USAID/Z and the MSI/Abt TAs need to re-visit the "Training Needs Analysis for PAC" to identify the existing and the new skills needs of PAC in the light of the emerging role of PAC in the Cabinet Office. All three should then participate in drawing up a comprehensive Training Plan for PAC.

Equipment:

PAC staff do not yet have skills in the use of computers for management and policy analysis purposes. There is an urgent need to equip PAC staff with as many computer skills as possible so that the equipment can make their work easier. Perhaps a controversial issue may be, how do you train people who do not know much about policy analysis and management in computer skills aimed at precisely these activities? It is our view that the two types of training should go hand-in-hand. As things are, the word-processing skills that PAC has effectively complements their current primary function, that of writing Cabinet minutes, further marginalising the staff's proclivity to engage in meaningful policy formulation and analysis.

There has not been contracted a local vendor to service and maintain the AID supplied machines at PAC. Consumables are also difficult to obtain since they have to be sourced through the AID office. Both competent computer vendors and suppliers of consumables are locally available in Lusaka. The three computers and one laser printer which are out of commission need not be in this condition. The computers are also in danger of rapid deterioration because they are not regularly cleaned or maintained. There is considerable dust in Zambia, and delicate machines like computers need to be attended to regularly. Most of the computers we saw were not covered.

Recommendation:

- * USAID/Z should hire local computer vendors to provide computer training, software, consumables and maintenance to PAC. One of the TAs has already demonstrated one software package to PAC which could be useful in some of the proposed activities of PAC.

PROJECT MANAGEMENT

Institutional Arrangements

This Project is governed by a Project Grant Agreement between the Government of Zambia and the United States of America, entered into September 28, 1992 and subsequently amended on October 9, 1992, March 17, 1993, June 23, 1994, and March 31, 1995. Under the Project Grant Agreement, the Minister of Legal Affairs is the responsible authority for supervising GRZ implementation of the Project.

Following the Project Grant Agreement, a separate Memorandum of Understanding (MOU) was thereafter entered into with each key governmental or non-governmental institution concerned with a project component:

- * For the Constitutional Reform sub-component of the Civil Rights Promotion Component, an MOU between USAID/Z and the Ministry of Legal Affairs was executed October 28, 1992, and amended May 12, 1994.
- * For the Civic Education sub-component of the Civic Rights Promotion Component, an MOU between USAID/Z and the Foundation for Democratic Progress (FODEP) was executed March 12, 1993.
- * For the Media Independence Component, an MOU between USAID/Z and the Ministry of Information and Broadcasting Services (MIBS) was executed May 7, 1993.
- * For the Legislative Performance Component, an MOU between USAID/Z and the National Assembly (through the Office of the Speaker) was executed on February 26, 1993.
- For the Policy Coordination Component, an MOU between USAID/Z and the Cabinet Office was executed on January 20, 1993.

An Advisory Project Management Board, to be convened by the GRZ and consisting of governmental and non-governmental Project stakeholders, is described in the Project Grant Agreement; despite prodding by USAID/Z and the DGA, this Board has never been formed.

As provided in the Project Grant Agreement, policy and programmatic direction of the Project are the responsibility of a USAID D/G (Democracy/Governance) Advisor (DGA), located in the USAID/Z offices, reporting to the Program Officer of USAID/Z. The DGA also serves as Secretary to, and receives policy guidance from, a D/G Policy Advisory Committee chaired by the U.S. Ambassador and consisting of the USAID/Z Mission Director, the Deputy Chief of Mission, the USAID Program Officer, the Embassy Political Officer, and the USIS Public Affairs Officer. The DGA arrived in Zambia March 29, 1993; for the first six months of the Project, the

USAID/Z Program Officer served de facto in the DGA role in addition to his other duties as Program Officer.

The Project Grant Agreement also provides that in addition to the DGA, with responsibility for policy and programmatic direction, there would also be within the USAID/Z offices a D/G Project Manager, reporting directly to the DGA, responsible for:

- * recruitment and deployment of long-and short-term technical assistance, preparing quarterly reports on project activities, and assisting grantee organizations with management problems;
- * principal responsibility for developing terms of reference for all technical assistance;
- * oversight of timely production of information according to the Project monitoring and evaluation plan; and
- * involvement in policy discussions with governmental and non-governmental grantee organizations under delegation from time to time by the DGA.

Under a subsequent Project Grant Agreement amendment, the D/G Project Manager position (never filled) was eliminated. The reasons for this change, and the implications, are discussed below under Management Performance. On March 24, 1994, a Cooperative Agreement was entered into by USAID and Southern University for establishment and maintenance of a Project Administration Unit (PAU), with administrative responsibilities for the Civic Education and Media Independence components, the Legislative Performance component (Phase II), and logistical support for other components.

Other institutional arrangements, currently in place, are as follows:

- * On January 2, 1993, USAID/Z executed a Cooperative Agreement with Michigan State University for monitoring and evaluation of the Project. (Preliminary preparation for this work commenced in November 1992 under a letter of authorization from USAID.)
- * In March, 1993, after protracted negotiations between USAID/Z and USAID/W, the Project formalized an arrangement (called a "buy-in") whereby principal technical assistance for the Policy Coordination component would be provided by the Implementing Policy Change (IPC) Project, managed by the consortium of Management Systems International (MSI) and Abt Associates, contracted through the USAID/W Bureau for Research and Development, Office for Economic and Institutional Development (R&D/EID). In September, 1994, this arrangement was changed from "buy-in" through R&D/EID to a direct ceiling price contract with MSI/Abt.

Management Performance:

The institutional arrangements outlined above were fashioned and came on stream in a time of dramatic political, economic, and social change in Zambia. The Project began at a time when USAID was just beginning to determine its role in the democratization process in Africa, and how to reconcile USAID interventions in the democracy arena with the existing USAID program management framework. The Strategic Assessment that marked the beginning of formal design of this Project was finished on the same day, June 20, 1992, that the USAID Africa Bureau issued its first guidance paper defining "democratic governance".

The actual starting point for this Project was with a group of Zambians, within the MMD, who, prior to the 1991 elections, came to USAID/Z to explore possible support in putting an effective democratic government into place in the event of an MMD victory. The dialogue continued over subsequent months, even when, after the election, some of the original Zambian discussants assumed Cabinet positions in the new Government. The principal USAID/Z contact person on this were the USAID/Z Mission Director, Fred Winch, and the USAID/Z Program Officer (PRM), John Wiebler, with involvement of the U.S. Embassy.

By January 1992, in response to the continuing requests by the GRZ for assistance in more effective and transparent governance, USAID/Z had developed a "New Project Description", with a budget of \$2.5 million, for a program with the basic elements of what later became the Policy Coordination component of this Project.

By March 1992, after consultations with USAID/Washington, USAID/Z undertook to have a democracy/governance needs assessment, to provide guidance to USAID/Zambia and the U.S. Embassy in Lusaka on how best to support democratization and improved governance in Zambia, as requested by the new MMD government. The design of the assessment was itself a participatory exercise: the scope of work for the assessment was developed in consultation with major Zambian actors representing institutions (governmental and non-governmental) now involved in this Project. The scope of work was completed March 20, 1992, the DG Assessment took place over the month of May 1992, with final report on June 20, 1992.

Thereafter, a Project Identification Document was completed on August 20, the Project Paper was completed and signed on September 28, 1992, and the Project Grant Agreement was executed that same day. USAID/Z and the design teams engaged in extensive consultations with Zambian stakeholders throughout the design process. The Project was approved by the GRZ and USAID/Z in a little more than three months after the DG Assessment was completed.

During the course of design, USAID/Z determined that it would have available a greater amount of funding than previously thought, and opted to increase the amount of funding available for support of democratic governance from the original \$2.5 million to \$15 million.

From October 1992 through March 1993, the USAID/Z PRM performed some of the functions of the DGA and the D/G Project Manager; from March 1993, this dual role was assumed by the DGA and has not, to date, been fully relinquished.

Between the time of execution of the Project Grant Agreement September 28, 1992, and the arrival of the DGA on March 29, 1993, a cabinet reshuffle displaced the two GRZ Ministers most closely associated with the Project overall (the Minister of Legal Affairs, who had been the Project initiator in 1991) and with key components (e.g., the Minister of Information and Broadcasting Services, who had been championing media privatization and reform, and press freedom). During the Project's start up period, a State of Emergency was proclaimed, suspending constitutional guarantees and freedoms (later restored). In both the Policy Coordination Component and the Legislative Performance component, technical assistance personnel upon whom USAID/Z had counted for start-up roles were, on short notice, no longer available.

During its first six months, the Project was managed out of the Mission under the direction of the PRM who was able, through substantial effort and by creative use of a variety of buy-in mechanisms and drawing upon support services from other U.S. Government offices, to undertake some critical start-up activities. USAID/Z initiated Project procurement. The USAID/REDSO/ESA office in Nairobi and the U.S. Congressional Research Service of the Library of Congress were drawn in by USAID/Z to assist with initial efforts on the Legislative Performance and Constitutional Reform components. USIS assisted in start-up of some aspects of the Media Independence component. The PRM, with U.S. Embassy assistance, was able to initiate some start-up activities in Constitutional Reform; 4,000 copies of the current Zambian Constitution were printed and distributed.

During this start-up period, USAID/Z was able to draw on the services of the USAID/W Office of Information Resources Management to perform an information technology assessment for all components of the Project. USAID/Z was also able, with assistance for USAID/REDSO/ESA and technical services secured through the USAID/Africa Bureau's Democracy/Governance unit to commence negotiations for the separate MOUs, and conclude all but two. USAID/Z arranged and entered into the Cooperative Agreement with Michigan State University for Project monitoring, evaluation, and special studies. During this period, MSU undertook the initial public opinion survey and institutional analyses, which provided the baseline data for Purpose level evaluation at the end of the

Project.

Also during this start-up period USAID/Z initiated procedures to secure the services of Institute for Development Research (IDR) for implementation of the Civic Education component and for institutional support of FODEP, initiated procedures to secure the services of MSI/Abt for the principal implementation and management role of the Policy Coordination component, and initiated procedures to secure technical assistance through the USAID/Africa Bureau's Democracy and Governance Project to support the Media Independence component.

As noted above, USAID/Z decided by December 1992 that Mission-based administration of the Project, as provided in the design, would place a very heavy burden on Mission personnel, particularly in handling the large number of disbursements, procurement, and logistics (e.g., transportation) required for the different components. USAID/Z also concluded that it would be possible to contract out the most time consuming administrative functions while retaining in the Mission the requisite policy and management control.

After considering various alternatives, USAID/Z in February 1993 initiated solicitation procedures to secure an HBCU (Historically Black Colleges and Universities) to handle administrative aspects of the Project components except Constitutional Reform (which by then had limited administrative needs) and Policy Coordination (which was in the process of being contracted to MSI/Abt). The HBCU option was chosen because USAID/Z believed that it posed the least complications of the procurement options available to the Mission. Initial responses to the solicitation raised doubts at USAID/Z whether the split of management within the Mission and administration by an external unit would be functional, and USAID/Z delayed -- for more than a year -- in acting further on the HBCU option.

The Review Team concurs in the self-assessment by the USAID/Z Program Officer and the DGA that much of the delay in securing and establishing the PAU is attributable to their own indecisiveness on the appropriate way to address the chronic management burdens, together with some poor time management and priority setting in the face of the competing demands on their time.

As noted, USAID/Z recruited a political scientist, Dr. James Polhemus, for the DGA position. He arrived on post in Zambia March 29, 1993. Over the following fourteen months, the DGA assumed the bulk of the management responsibilities previously handled by the PRM. This meant that the DGA played a dual role -- his intended role in policy and programmatic direction, and the administrative role of the D/G Project Manager. This dual role continued until major administrative responsibilities were assumed

(June 1994) by the PAU, but to some extent the dual role continues to this day.

During his initial 14 months on post, the DGA was able to complete the institutional arrangements while providing policy and technical support to all of the Project components. The DGA was responsible for getting major components off the ground, especially Policy Coordination and Constitutional Reform. GRZ policy and personnel changes affecting Constitutional Reform caused a halt in work on that component by the end of 1993. All other components were further activated throughout the period, as described more fully above in the Section on "Project Activities."

From June 1994 to present, the PAU has significantly relieved the administrative and management roles of USAID/Z, particularly for the DGA, and in other ways made a positive contribution to the project as discussed below.

The DG personnel at USAID/Z, the DGA and his secretarial assistant, Mambepa Kalwani, maintain a complete and orderly set of records and files. The semi-annual Project Implementation Review (PIR) reports prepared by the DGA are succinct, complete, and accurate. The state of USAID/Z's record-keeping, and the PIR reports, facilitated the work of this Mid-Term Review.

Contractor Performance:

Southern University (PAU)

Some findings, conclusions, and recommendations on the Southern University/PAU performance are made separately above in the sections dealing with Civic Education and Media Independence.

As noted above, on March 24, 1994, a Cooperative Agreement was entered into by USAID and Southern University for establishment and maintenance of the Project Administration Unit (PAU). The PAU has responsibility for management and implementation of the Civic Education component, the Media Independence component, the Legislative Performance component (Phase II), and logistical support for other components.

The Southern University Cooperative Agreement provides for substantial involvement by USAID/Z for monitoring and oversight of Project activities carried out by the PAU, specifically including the following:

- Review and approval of subgrant agreements.
- * Approval of key personnel.
- * Advance approval of technical assistance and training activities.

- * Review and approval of commodity procurement.
- Review and approval of monitoring and evaluation systems.
- * Review and approval of financial management and accounting systems and procedures.
- * Ongoing close collaboration and involvement in management decisions. The principal mechanism for this involvement is the annual Work Plan and its approval by USAID/Z, with quarterly reviews and updates.

The Southern University advance representative arrived in Zambia within three weeks of execution of the Cooperative Agreement, and the Chief of Party, Dr. Georgia Bowser, arrived in Lusaka June 6, 1994.

The PAU produced and secured USAID/Z approval of its first annual Work Plan by July 8, 1994, and promptly hired staff for its Lusaka and Baton Rouge offices, assumed control of the Project vehicle fleet, commenced additional commodity procurement, and established its office and working facilities.

The PAU has complied with the planning and reporting requirements of the Cooperative Agreement.

The USAID/Z Controller expresses complete satisfaction with the financial management and reporting system of the PAU. The Mid-Term Review Team reviewed this system, to gain an appreciation of the number of transactions monitored and reported by the PAU, and the level of attention placed to monitoring of subgrants, and to accurate reporting to Southern University in the U.S.

USAID/Z does express concern over late filing of financial reports by the Southern University office in the United States. The time lag in filing could affect the rate of replenishment of the Southern University Federal Reserve Letter of Credit if there appear to be excessive funds already in the pipeline.

The Southern University/PAU budgeting and financial management system is quite suitable for PAU cash flow purposes. PAU requisitions to the U.S. for cash replenishment are met in time for availability for PAU disbursements in Zambia.

The PAU maintains close, but supportive, oversight over Civic Action Fund subgrantees. (See the section on Civic Education, above, concerning the PAU's management of FODEP finances.) The PAU has assisted some of the subgrantees in developing reporting formats. To date, no Civic Action Fund subgrantee is delinquent in financial reporting or accounting.

USAID/Z is satisfied with the form and extent of the PAU's formal reporting. In addition, the Project files show a very substantial level of communication and exchange between the PAU and the DGA.

The Mid-Term Review Team has not made a first hand assessment of the performance and efficiency of the Southern University project personnel in the United States. Records and information available in Zambia are not sufficient to determine the value to the Project of the level of effort at the U.S. offices of Southern University.

Michigan State University

(See section, below, on Monitoring and Evaluation)

MSI/Abt

(See section, above, on Policy Coordination)

Institute for Development Research (IDR)

From May 1993 through June 1994, the Institute for Development Research (IDR) provided technical assistance to FODEP. The assistance was provided through five short-term IDR consultancies which helped FODEP through an institutional diagnosis, planning, and training process for restructuring of the organization and institutional strengthening.

IDR assisted FODEP both in strategic planning (to define its institutional mission and goals), and in structuring at the National, Provincial and District levels to operations. The IDR assistance played a direct role in the March 1994 national convention at which FODEP adopted a new constitution and governance structure. An April 1994 assessment by FODEP of IDR concluded that IDR's work assistance had been quite valuable to FODEP. USAID/Z expresses satisfaction with IDR's performance. USAID/Z, FODEP, the PAU and IDR sought in June-July to negotiate a sub-grant from the PAU to IDR so that IDR might continue its work with FODEP, beginning with a training-of-trainers workshop in August. However, these negotiations and the contracting arrangements could not be completed in time for IDR to commit to participation in the August activities, so IDR's involvement with FODEP did not continue past June 1994.

Associates in Rural Development (ARD)/Management Systems International (MSI)

The USAID/W Africa Bureau has contracted with ARD/MSI to provide policy advisory services to the Bureau on democracy and governance issues, and to assist USAID Missions in determining how democratic governance issues should be factored into the Missions' priorities and programs. ARD/MSI maintains a small core staff and a roster of political scientists and public administration specialists.

From the period March 1992 through December 1993, ARD/MSI provided a series of services for USAID/Z in conjunction with this project, including the following:

- March 1992 needs assessment
 - May-June 1992 Strategic Assessment
 - July-August 1992 Project Identification Document (PID)*
 - August-September 1992 Project Paper*
 - December 1992 and February 1993, assistance with MOUs*
 - June 1993 participation in Baseline Studies
 - June-August 1993 TA in Media Independence component*
- * Funded by USAID/Z; other funded by Africa Bureau

USAID/Z has expressed satisfaction with the contractor performance except with respect to the June-July technical assistance (TA) in the Media Independence component. Of five deliverables for this assignment, three were found deficient at the conclusion of the field work. One of the deficient deliverables (a media training needs assessment for ZAMCOM) was corrected and accepted by USAID/Z in November 1993, six weeks after the scheduled delivery date. Another of the deficient deliverables (a study of the effect of a Media Resources Center on ZAMCOM's sustainability) was corrected by December 1993, twelve weeks after the scheduled delivery date, but with final editing and report integration still incomplete. The third deficient deliverable (commentary on the media privatization study of Coopers & Lybrand) was not produced.

In addition, the work of the member of the Project Paper team in August-September 1992 responsible for compliance with USAID design handbook requirements and institutional arrangements was below standard; while ARD/MSI corrected the deficiencies with respect to handbook requirements, the poor performance of this team member meant that Project management structure and responsibilities were not adequately treated in the Project Paper and were at least partly responsible for management uncertainties and expediencies in the early stages of Project implementation.

Cost Effectiveness and Financial Management

The Mid-Term Review Team attempted to analyse the relative cost effectiveness of the different components of the Project. Such an analysis could not be made, however, because the Project budget, and Project accounts, are not organized according to individual components and sub-components.

Thus it is not possible to determine as of the project mid-point how much has been spent per individual Project element. The budget, and the reports, use the following categories, with indicated expenses as of June 2, 1995.

	<u>Expenditures</u>
Technical Assistance, Long-Term	\$ 680,314
Technical Assistance, Short-Term	783,176
Commodities	519,999
Civic Action Fund	23,145
Public Forums	51,768
Training	107,715
Project Management	471,251
Monitoring/Evaluation/Audit	264,415
Total	\$ <u>2,901,783</u>

It should be noted that there is a substantial lag -- up to two or three months -- between the time that contractors or grantees incur expenses and the time that these are incorporated into USAID/Z's financial records.

Even so, a basic pattern of expenditures is already evident in which half of the financial resources -- some 50.4 percent -- have been used to employ technical assistants. The proportion of resources allocated directly to intended Project beneficiaries (e.g. for civic action projects, public forums and training) -- some 6.3 percent -- is substantially lower. In short, there is an imbalance in expenditures that appears to favor U.S.-based contractors at the expense of Zambian-based beneficiaries. The Team also notes that the proportion of funds expended on project management, including evaluation, -- some 25.3 percent -- is relatively high in relation to the institution-building activity on the ground in Zambia.

The USAID/Z Controller's Office was able to calculate for the team some discrete disbursements to individual Project actors, though there is no necessary direct correlation between these disbursements and the separate Project components. Nor do these disbursements tally with the indicated expenditures recorded at USAID/Z as of June 2, 1995. These figures are:

Southern University	\$	1,405,751
MSI/Abt		453,630
MSU		397,375
National Assembly		57,834
Ministry of Legal Affairs		76,548

Generally, it is clear that the project retains more than adequate liquidity for its duration. The USAID/Z overall pipeline analysis for the Project as of June 2, 1995 is as follows:

Authorization	\$	15,000,000
Obligations		10,989,165
Earmarks		6,750,278
Commitments		6,334,214
Expenditures		2,901,783
Pipeline		8,087,382

Conclusions Concerning Project Management

There are many parts, actors, activities, agendas, relationships, and perceptions; and there has been (and is) reliance upon a variety of mechanisms to govern and manage the Project, to secure and deploy relevant personnel and resources for implementation, and to reconcile multiple interests.

The Project designers underestimated the complexity of the institutional arrangements, and the management and administrative burdens that would be placed upon a few individuals in order to get this Project underway. Management structure and responsibilities were never adequately spelled out in the design papers. Thus, the Project's institutional arrangements emerged as much by expediency as by design.

The Project was presented with serious management challenges from the outset. After an unusually rapid, and participatory, design stage, Project implementation was constrained (a) by the bureaucratic demands of the USAID systems for procurement and funds disbursement, and (b) by early turnover in key Zambian officials and key Project actors (both Zambian and U.S.). These constraints were overcome, to a remarkable degree, by the cumulative efforts of the PRM and the DGA. A major contributing factor to the progress in the Project, notwithstanding the constraints, was the highly participatory nature of the Project design. In many respects, the Zambians proved more ready for Project implementation than USAID. This is because of the administrative and contractual constraints on USAID in mobilizing and deploying financial and technical resources.

The delay in proceeding with the solicitation and establishment of the PAU had an adverse effect on the rate of Project implementation.

The establishment of the PAU has made a major contribution to Project management, and in relieving USAID/Z and particularly the DGA of administrative demands. However, the DGA still remains burdened with a very heavy load of non-substantive matters. Because of time demands, perpetuation of management and administrative functions impinges on the DGA's full availability and attention to policy advisory responsibilities.

The DGA was recruited as a political scientist, to bring that academic discipline to the implementation of the Project. The design envisioned that the DGA would devote the majority of his time to policy dialogue, field supervision, and Project linkages. In reality, however, an inordinate amount of the DGA's time has been diverted to administrative matters, thus underusing the qualifications for which he was recruited in the first place.

Even with the addition of the PAU, the complexity of the institutional arrangements requires the DGA to continue to assume the functions of the original D/G Project Manager.

The arrival and establishment by Southern University of the Project Administration Unit (PAU) had a significant and positive effect on the Project overall, and particularly with respect to the Civic Education and Media Independence Components.

The PAU is managed and administered on a highly professional basis and is a major asset to the Project.

Recommendations:

• USAID/Z should provide administrative support to the DGA, within the USAID/Z Mission, either (a) by filling the D/G Project Manager position as described in the Project Grant Agreement, or (b) allocating to the DGA at least 50% of the time of an Assistant Project Manager under engagement by Personal Services Contract to USAID/Z.

• USAID/Z and the PAU should examine, during the course of preparation of the next year Work Plan and/or during mid-term redesign of this Project, the extent to which the clearance procedures under the "substantial involvement" provisions of the Cooperative Agreement can be streamlined.

* USAID/Z should seek to correct the perceived imbalance in Project expenditures according to which U.S.-based contractors have apparently received to date considerably more budgetary resources than have individual and institutional beneficiaries in Zambia.

Monitoring and Evaluation

Comprehensive monitoring and evaluation (ME) is an essential component of any project of the magnitude of USAID/Zambia's Democratic Governance Project. In the narrowest terms it is needed by USAID to track delivery of project inputs and achievement of anticipated outputs. More broadly, it is important for USAID to deliver ME capacity to recipient host country institutions in the interests of their long term sustainability.

The elements of ME in the Zambian Project have been disparate and complex. This component has been defined to embrace not only organizational auditing, baseline studies, and mid-term and final project reviews but also capacity building and basic research. The questions to be asked in reviewing this ME component center on (1) the suitability of the ME design, (2) the capacity and performance of the cooperating institution, (3) the efficiency of the implementing processes, (4) the quality and utility of the products, and (5) progress not only in disseminating and utilizing these products but in transferring ME capacity to host country institutions.

Design

The elements of the ME component have included baseline studies, special studies, mid-term and final project reviews, installation of a management information system (MIS), and capacity building fellowships for both Zambian and American scholars.

The purposes of these individual components have been clearer than the underlying concept and objective unifying them. The Michigan State University (MSU) proposal for a cooperative agreement (CA) with USAID to conduct these activities refers (p.1) to the political sensitivity of democracy and governance programming, the flexible design of the Project that facilitates adjustments to changing circumstances, and the possibility for other AID missions to learn from the experience of this leading sub-Saharan democracy and governance project. The CA itself repeated these considerations while stating as the purpose of the enterprise "gathering of information on progress in the Project and on democratic consolidation in Zambia" (p.1). And the Project Paper stated that ME is a "key management tool [that] ensures critical information is collected on project inputs and outputs in order to guide project implementation toward the achievement of planned objectives." (p.59)

Several alternative ME purposes are explicit to varying degrees in the foregoing statements: (1) auditing delivery of Project inputs and output production; (2) tracking host country progress in democratization; (3) facilitating Project adjustment to political sensitivities and an ever-changing host country environment; and (4) building learning processes within USAID on

how to do high quality and effective programming of democratization assistance. Additional purposes implicit in the activities themselves include (5) building host country and cooperating institution ME capability (via the exchange of scholars) and (6) deepening awareness of host country political, socioeconomic, and cultural parameters (via the special studies and the work of the MSU fellows).

All these purposes are legitimate and important, and there are no necessary incompatibilities among them. Rather, the issue is one of how to set conscious priorities among these purposes in circumstances of human and financial resource scarcity. At the half way point in the life of the project, an inchoate hierarchy of priorities among these purposes appears to have evolved which has not been addressed or fashioned into an explicit integrated design by USAID/Zambia and its partners. Most attention has been devoted to input and output auditing (via the MIS), deepening awareness of host country developmental parameters (via the special studies) and tracking host country progress in democratization (via the baseline and mid-term evaluations).

Given somewhat less attention have been capacity building (via the fellows) and adaptation to host country circumstances (as tracked in the Mission's project status reports) that have nonetheless certainly taken place. But **how** the work of the fellows will fit into a broader capacity building strategy remains inchoate. Neither AID programming worldwide, in this season of its re-engineering and reinvention, nor the original implementation design of the project appear to have drawn on the literature of bureaucratic learning that AID itself helped to develop in the 1970s and early 1980s.⁸ Hence the daily adaptation of the project to Zambian circumstances has been unavoidably ad hoc rather than addressed strategically in terms of this literature.

For reasons of time, resources and never-ending distractions, USAID/Zambia has had no opportunity to address potential for shared learning among democracy and governance projects in sub-Saharan Africa or more broadly. It could, in any event, not do so on its own, and AID/W itself has only quite recently taken the first steps in this direction via the Democracy Exchange.

*** The Team recognizes that there is little room for rethinking the structure of the ME component at this time. It is of the view, however, that in the future the Mission should insure that ME components of projects have clear, explicit and well integrated, purposes. On the one hand, capacity building initiatives, while valuable and needed, should be components**

⁸. See, for example, the work of Francis and David Korten, Dennis Rondinelli, Norman Uphoff and Milton Esman.

in their own right rather than slipped only implicitly into an ME component. On the other hand, the sharing of project lessons learned should perhaps be a more explicit objective and receive more emphasis, aided by support from AID/Washington, than appears to have been the case in this project.

The Cooperator

The Department of Political Science at Michigan State University entered into a cooperative agreement (CA) with USAID/Zambia for ME work on the basis of its unsolicited proposal. The CA took effect November 1, 1992 and extends for the life of the project. Specific activities to be undertaken have been identified above. Key questions are the criteria for selecting the cooperating institution, its relevant capabilities, and its performance.

Although MSU was selected on the basis of an unsolicited proposal rather than through a competitive process, Michigan State University was and is unquestionably highly qualified for this assignment. Its African Studies Program is one of the strongest in the United States. The two African specialists in the Department of Political Science, including the Principal Investigator, are among the country's leaders in this field. Both have extensive previous experience in Zambia.

Implementation

By the middle of year three, MSU was to have delivered (a) the baseline study in two segments (profiles of host country project institutions and a beneficiary survey examining political culture), (b) the management information system, (c) three special studies, and (d) this mid-term evaluation. In the latter half of the project's life, MSU is to deliver (a) the two long term studies by dissertation-level MSU graduate students, (b) graduate training to two Zambian fellows from the National University of Zambia at MSU, and (c) the final evaluation of the Project. MSU also prepared an election data set covering elections in Zambia prior to 1991 as well as since.

The baseline studies and one of the three special studies have been delivered on schedule and accepted by USAID/Zambia. One of the special studies, on gender and democratization in Zambia, has been received in draft form and commented upon by the Mission. However, a short paper on gender aspects of the Project, by the same author, has not only been received but has been found highly useful by the Mission in its work with other components of the project.

By mutual agreement with USAID/Zambia, delivery of the third special study has been postponed until 1997 in order to be

able to incorporate data from the 1996 Zambian general election. Also by mutual agreement, its emphasis has been shifted from political culture to political participation. It will incorporate time series data from the 1991 and 1996 elections, two local government elections, and numerous by elections. It will also include longitudinal data on changing political attitudes, drawing on the political culture baseline study.

The management information system has been delivered⁹, accepted, and put into operation by the Project Administrative Unit (established by Southern University under contract with USAID/Zambia). It has been well received and actively used by the Project Administrative Unit (PAU).

The Team finds that Michigan State has been conscientious, effective, and generally timely in delivering the planned inputs, and both Michigan State and USAID/Zambia appear satisfied with their ME partnership under the CA.

The rescheduling of the third special study reflects a tradeoff between two ME purposes outlined in the previous section: (a) facilitating project adjustment to political sensitivities and a changing environment of the host country; and (b) deepening awareness of host country political, socioeconomic, and cultural parameters. Postponing delivery of this study favors the latter purpose over the former. The study will not be available to influence mid-term Project amendments, but it will be able to deal more comprehensively with political change in Zambia.

Given this choice, the Project has an opportunity to test more fully the effectiveness of project-supported civic education.

*** The team recommends that the special study on political participation attempt to gauge to what extent recipients of project-sponsored civic education have become more active participants in democratic political processes than those who have not.**

The Dean of Social Sciences at UNZA believes the arrangements for sending the two students for masters degrees at MSU are satisfactory. He would welcome a continuation of this relationship beyond what is currently in place in the Project. The Department of Political Science at MSU has prepared an intensive, appropriate and high quality curriculum for the Zambian fellows.

⁹ The MIS was actually delivered somewhat later than originally scheduled at the request of the USAID mission in order to coincide with the inauguration of the Project Administration Unit for which Southern University is under contract with the Mission.

Outputs

The tests of project outputs are (a) their intrinsic quality and their practical utility to USAID and (b) its host country partners. Outputs delivered to date have been the two components of the baseline study, one of the special studies, and the MIS.

The team lacks the expertise to assess the technical quality of the MIS. However, it has been enthusiastically welcomed and implemented by the PAU. The PAU has very much appreciated the services of the responsible MSU specialist, Dr. Frank Zinn, and would welcome a return visit from him (not currently budgeted), perhaps to take the system to higher levels of sophistication. The Zambian partners, FODEP and ZAMCOM, appear to welcome the system as well. These partners, however, are at this point concentrating on gaining the computer literacy that is a precondition for effective use of the system on their own.

The beneficiary survey centering on political culture is very professionally done, very informative, and an excellent foundation for longitudinal research of the kind planned for the special study on political participation. It is of high potential value in designing or redesigning the content of civic education initiatives over the long term. The study's findings have already been incorporated into FODEP's civic education curriculum.

*** The Team recommends USAID continue to make use of this political culture baseline study in any mid-term amendment of its civic education assistance.**

The institutional profiles baseline study is to be read in conjunction with the corresponding section of the Project Paper. Its emphasis is more upon establishing measures and indicators of institutional capacity building than upon in-depth structural analysis of the project's partner institutions. Its utility to the project would be enhanced were the measures and indicators it identifies to be incorporated into an upgraded MIS. Similarly, the paper on gender dimensions of the Project proposes useful benchmarks for strengthening the position of women in Zambian political processes. These, too, could be incorporated in an upgraded MIS.

• The team recommends that the PAU incorporates the performance indicators in the institutional profiles baseline study and the guidelines in the paper on gender dimensions of the Project into the MIS.

The special study on democratization and economic reform addresses a burning contemporary theoretical issue in the Zambian context and is a well argued, highly professional study. The burden of its conclusions and recommendations have implications

well beyond the scope of the Project: the compatibility of political and economic liberalization, the importance of policy learning, and the problematic relationship between donor conditionality and host country-driven political and economic reform.

Dissemination of Products and ME Capacity

The Team was unable to gauge with any precision the extent to which the ME studies have been disseminated and influential. However, geared principally to Project design and implementation, the institutional profiles and gender papers can most usefully be disseminated by incorporation into the MIS. In this fashion, they carry the potential to deepen the value of MIS systems for democracy and governance projects.

The findings of beneficiary study on political culture have been put to use in the civic education curricula of FODEP, used as the basis for a 1200 person voter survey conducted by the Southern Africa Consulting Group, and used extensively within the USAID/Zambia Mission¹⁰. It is distributed as part of an MSU series of working papers. Initially, 50 copies were distributed within Zambia and another 30 were disseminated internationally.

AID/CDIE in Washington reports that the democratization and economic reform paper has been circulated widely within the Agency.

The political culture baseline, democratization and economic reform, and eventually the special studies on gender and political participation will benefit from a fine AID/Washington information dissemination system, known as ABIC, and from eventual publication and circulation as academic works. All the studies presently completed have been circulated extensively within AID/Washington.

The Mid Term and End of Project Evaluations

* The Team recommends that, if this has not already been done, USAID/Zambia set the date for the end of project evaluation to take into account whether a follow-on project is to be undertaken.

The date can be close to the end of the life of the project if no follow-on project is contemplated. The evaluation should take place some months prior to the end of the project if a follow-on project is planned. This will be necessary in order to

¹⁰. The managing partner of the Southern Africa Consulting Group reports that the findings of its survey broadly corroborated those of the beneficiary study of political culture.

be able to incorporate the findings and recommendation of this final evaluation of the present project in the design of the follow-on project.

Considerable discussion took place within the Mission, and including the REDSO/ESA DGA, about the suitability of naming to this mid-term review team individuals who have been involved in various aspects of the project to date. In the end, the Mission agreed to the team as presently composed, with the concurrence of an RCO in REDSO/ESA. Some members of the Mission are still uncertain whether this review meets AID's requirements for a formal mid-term evaluation, at least in part because of the Team's composition.

- It is the REDSO/ESA DGA's finding that the advantages of having individuals on the team who are familiar with the project have been considerable and that the potential disadvantages have not materialized. However, it is his recommendation, with which the Team concurs, that the Mission should give serious consideration to having the final evaluation team be composed of individuals with no previous involvement in the design or implementation of the Project.

Conclusions

The team finds the ME component of the Project to be of high quality and appropriate for the Zambia Democratic Governance Project. The team notes with strong approval the extensive use that MSU has made of Zambian scholars in the preparation of each of the studies. In general, however, project components of this nature should have more clearly defined and integrated purposes than has been the case with the ME component of this Project. The ME component can be strengthened by building closer linkages between its several components; e.g, between the political participation study and the civic education component and between the gender and institutional profiles studies and the MIS as explained above. The Project would be an appropriate subject for applying and extending contemporary management literature, which USAID helped to develop, founded on principles of contingency and environmental adaptation. Further, regular public opinion surveys, of the kind begun by the political culture study, would be a fine guide to Mission democracy and governance programming.

GENDER DIMENSIONS

Introduction

The representation of women's interests in Zambian politics has been limited by two factors. First, few women have obtained opportunities to occupy political office and to participate in decision making. Second, few politicians have been willing to act as advocates for women's rights and interests within political parties and government. As a result, gender awareness in policy making has been promoted primarily by non-governmental organizations -- such as church, cooperative, and women's groups -- and by academicians and progressive individuals.

These groups have enjoyed some success at raising the awareness of gender issues in Zambian society, for example on issues of legal, medical, and financial discrimination. However, they have not made much progress at integrating this awareness into practical and meaningful public policies designed to enhance the lives of Zambian women.

As noted in the MSU report on the Gender Dimensions of the USAID/Z Zambia DG Project, "the Project Paper employs a gender neutral language, referring to its beneficiaries as citizens and participants" (Ferguson, March 1994). USAID/Z, however, has recognized the barriers to equal representation of men and women in Zambian politics and consistently emphasized women and women's issues in Project implementation. This section of Review is aimed to assess progress against the goal of equal participation of men and women across all Project activities.

Gender and Constitutional Reform

Of the original twenty-four members of the Constitutional Review Commission (CRC), only 3 were women. As noted elsewhere in this review, President Chiluba added a fourth in response to protests from women's groups. These four women represent a broad cross-section of Zambian society, reflecting the interests of traditional rulers, women's movements and civic education organizations. This is an improvement on the previous constitutional review commission of 1991, which enlisted the participation of women from only a select group of UNIP party loyalists. Despite the professional and diligent work of the current female commissioners, however, their contributions were often marginalized in CRC debates as the opinions of a small minority, a fact confirmed by the CRC secretariat.

In an attempt to solicit the opinions of average citizens regarding the direction of constitutional reform, the CRC held meetings in all the provinces and major urban areas throughout Zambia. While women participated at each of these sessions, the number of contributions from men were far greater, especially in

the rural areas. The nature of women's contributions were different from men's and targeted at issues such as succession and inheritance, children's maintenance, health care, and equal access to market systems. Women demanded that the Constitution recognize them as the voting majority with specific rights and demands.

Gender and Civic Education

Three main activities supported under the Civic Education Component are considered here: FODEP's civic education campaign; the Ministry of Education's civics education curriculum; and the PAU's Civic Action Fund.

Support to FODEP. FODEP is one of the few institutions supported by the Project which has made a conscious effort to include the full participation of women in Project activities. Credit for this is due, in part, to FODEP's current acting executive director, herself a activist on gender and human rights issues. She and her colleagues have played an active role in educating women and encouraging their participation in the constitutional review process as well as helping to coordinate women's civic education organizations in Zambia.

One of FODEP's stated objectives is that at least one-third of all Project-funded workshop participants be women. FODEP, though, has realized that there are some special problems that reduce women's participation, including the demands of families and households. In mitigating such problems, FODEP has allowed mothers to bring their babies to provincial workshops, for example. However, the results of these efforts have been mixed.

So far, workshops have been conducted in all nine provinces and twenty-five districts. Available data reveals that out of the eight hundred and eighty-five (885) participants only one hundred eight seven (187) were women, or a proportion of twenty-one percent (21%). Moreover, data shown in Table 1 indicate that remoter, rural districts had lower female participation than urban-based workshops. For example, no women participated in Chama District and only 3 in Nyimba District. While the participation rates of women are encouraging, this review team hopes that future workshops will have better gender balance at all levels and in all regions. FODEP must continue to emphasize women's participation, not only in Project activities, but in their broader civic education campaign.

It should also be noted that support from Southern African Consulting Group (SACOG) and Southern University in the development of civic education materials has been crucial in highlighting gender issues.

TABLE 1 -- Participation of women and men in FODEP organized Training sessions in 25 districts

PROVINCE	DISTRICT	PARTICIPATION		TOTAL
CENTRAL	Chibombo	9	15	24
	Kaprimposhi	13	18	31
	Kabwe	11	21	32
	Serenje	4	20	24
EASTERN	Katete	7	23	30
	Petauke	7	25	32
	Nyimba	3	26	29
	Lundazi	5	27	32
	Mambwe	7	14	21
	Chama	0	24	24
	Chadiza	4	23	27
	SOUTHERN	Siavonga	6	40
	Choma	23	66	89
	Kalomo	11	28	39
	Monze	4	31	35
	Pemba	5	23	28
	Gwembe	4	17	21
	Mazabuka	8	27	35
	Namwala	7	23	30
	Sinazongwe	12	54	66
WESTERN	Mongu	14	24	38
	Kalabo	5	25	30
	Sesheke	11	39	50
	Kaoma	5	38	43
	Lukulu	2	27	29
TOTALS		187	698	885

Civics Education Curriculum. USAID/Z has rightly recognized that civics education is a crucial part of the democratization process which should be instilled at an early age. To that end, USAID/Z has supported the development of a nation-wide civics curriculum and facilitated the production of professionally written civics texts specific to Zambia.

A comprehensive Project-funded study to assess the current state of civics education in Zambia accurately revealed the existing gender imbalance in the educational system. Data from this study, contained in Table 2, shows that there are very few women in senior management positions within the Ministry of Education who can either (a) advocate women's issues in education or (b) act as role models for school age girls. The study also shows that the majority of the people currently teaching civics courses are women, untrained in civics education methods who have been given this additional responsibility above and beyond their normal work duties.

While the new government's education policy addresses gender imbalances in the educational system, little has been done to put these recommendations in practice. Issues such as the rights of women, the causes and magnitude of gender inequality in access to education, and the educational opportunities presented to women must be included in a reformed curricula.

TABLE 2 : Number of Education Managers by Province by Sex

PROVINCE	P.E.O		D.E.O		INSPECTORS		H.P.S		H.S.S	
	F	M	F	M	F	M	F	M	F	M
Lusaka	0	1	0	3	10	29	29	84	5	12
Western	0	1	0	6	2	10	10	77	0	16
Southern	0	1	0	9	3	5	3	552	1	29
Copperbelt	0	1	2	6	5	11	0	0	10	34
Luapula	0	1	1	0	1	0	8	320	0	13
North Western	0	1	1	0	1	0	0	0	0	0
TOTAL	<u>0</u>	<u>6</u>	<u>4</u>	<u>24</u>	<u>22</u>	<u>65</u>	<u>50</u>	<u>1033</u>	<u>16</u>	<u>44</u>

Source: Lungwangwa et al (1995). The Organization and Management of the study by the Zambia Education Rehabilitation Project: The World Bank and the Ministry of Education in Civics Education in Zambian Schools. A study commissioned by the Ministry of Education and the Southern University Democratic Governance, USAID/ZAMBIA.

Notes; PEO- Provincial Education Officers,
 DEO- District Education Officers,
 HPS-Heads Primary School,
 HSS-Heads Secondary Schools.

Civic Action Fund. The Civic Action Fund is a small grant fund established to respond to initiatives developed by civic education associations in the country. A wide variety of groups have benefited from these funds. These include drama and theater groups as well as women's associations such as the National Women's Lobby and Women for change. For example, The Women's Lobby has used its grant to produce posters, pamphlets and radio programs about women's issues in seven vernacular languages. Plans for television programs have already been drawn up, but the Lobby is having problems securing television time from the national broadcasting authority. The Lobby also plans to use grant funds in an advertising campaign encouraging women to stand for public office.

Gender and Media Independence

USAID/Z has targeted two institutions in the Media Independence component: the Zambia Institute of Mass Communication (ZAMCOM); and the Department of Mass Communication, University of Zambia (UNZA). Their responsiveness to gender issues has been mixed. ZAMCOM's staff is dominated by women, though they have not

been particularly attentive to women's issues in the past. So far, two newspaper staff members have been sent by ZAMCOM on to the United States on Project-funded internship programs. The DGA was particularly attentive to gender issues and encouraged the selection of one male and one female training-grant recipient.

Under the same Project component, ZAMCOM has run eight local training workshops. Out of a total number of one hundred and six participants, twenty-three (23) were women, a total of twenty-two percent (22%). Discussions with the ZAMCOM Director revealed that gender issues were not part of the regular workshop curriculum. The review team was told that gender issues are discussed only if the resource person invited to lead the workshop is "gender sensitive." For example, one specialist was invited from the Women in Development Department at the National Commission for Development (NCDP) to discuss gender issues at one morning meeting. While the Director has recognized the importance of gender issues, it is the review team's opinion that ZAMCOM may wish to revisit and re-emphasize gender in its workshop curriculum.

The Mass Communications Department at the University of Zambia has been less accommodating to gender issues in its programs. For example, they used Project funds to send two Staff Development Fellows to the United States for advanced degrees. However, they accepted the DGA's recommendation to select one male and one female recipient with extreme reluctance. When the female grant recipient returns to the Department, she will only be the second woman on a staff of nine. Further, the intake of new female students to the Department has dropped precipitously over the last 4-5 years, at the overall risk of reducing both the number of women entering the print and electronic media and attention given to gender issues.

Gender and Legislative Performance

Of the 156 current Members of Parliament, only 7 are women, 3 of whom sit on the front bench as Ministers. The four women back bench Members are further marginalized by their sole placement on the Women, Youth, and Child Development Committee. None of them serves on such important groups as the Committees on Public Accounts, Parastatal Bodies, or Foreign Affairs.

Gender balancing was apparently of little concern to Assembly administrators when nominating members to sit on the USAID/Z sponsored Legislative Performance Study Group either. None of the 7 LPSG members or 3 members of the secretariat were women. While the Secretary to the Study Group assured the review team that gender issues were discussed at group meetings, it is difficult to analyze the gender sensitivity of LPSG activities given the Project's limited success. Had the Project continued, it would have addressed critical needs among Members of Parliament, both men and women.

Gender and Policy Coordination

Cabinet Office is a strategic point at which gender balancing in public policy can and should be addressed. Fortunately, gender sensitivity among policy analysts is high. Analysts, however, lack both the physical resources and experience to adequately analyze government policies from a gender perspective.

The Policy Analysis Coordination Division (PAC) of Cabinet Office is being provided some of those tools under the Policy Coordination Component of the DG Project. For example, the Unit organized workshops on cabinet functions and policy related issues. However, participation was limited to Assistant Secretary level staff and their superiors. Since few women have yet reached this level, few participated in this activity.

If on-going USAID/Z efforts are successful they will enhance the general policy analysis capabilities of PAC. But, only if skills at analysing gender impacts are explicitly included in future training programs will such issues receive the necessary attention in public policy.

Recommendations:

USAID/Z has been attentive to gender issues in implementing Project components. However, work can be done to provide gender balanced programming in specific project components, especially in the area of civic education. In order to reinforce gender sensitivity in the USAID/Z Democratic Governance Project, the following recommendations are proposed:

- * USAID/Z should urge PAC and ZAMCOM to give greater attention to gender considerations in personnel and TA hiring decisions and in the substance of policy analysis and training.
- * USAID/Z should continue to emphasize the participation of women in politics through the Small Grant Fund of the Civic Education Component. Programs specifically designed to (a) educate rural women about their role in a democratic systems (b) encourage rural women's participation in politics should be supported.
- * As part of the review of civics education recommended by the Lungwangwa Study, USAID/Z should (a) focus on topics and concepts fostering gender equality in Zambian schools (b) involve civic education organizations and gender specialists in the review exercise and (c) emphasize skills training programs for civics education teachers.

* The DGA should include a discussion of ongoing efforts to address gender issues in Project implementation as part of normal PIR reporting.

PROJECT ADJUSTMENTS

Project Coherence

An assistance activity with five major components amounts to a portfolio, not simply a project. The diversity of activities within the Project has had both benefits and drawbacks. Because all the assistance eggs were not placed in one basket, occasional blockages or setbacks in one component have not prevented other components from making progress. On the other hand, the sheer range of Project activities has stretched USAID/Z management capacities and posed challenges of Project integration.

This section explores the extent of actual cross-component synergies and asks whether, when all activities are taken together, the Project amounts to more than the sum of its parts.

The Project Paper recommended a Policy Advisory Committee comprised of senior members of the U.S. Country team, whose purpose was to view the Project as a whole in the light of U.S. foreign and assistance policy, to guide and assist the DGA in policy dialogue with the GRZ, and to serve as a bridge between the Embassy and Mission on DG project issues. The DGA moved quickly to establish the Committee. Chaired by the U.S. Ambassador, the Committee has met at irregular intervals at times when the DGA has requested it do so. This arrangement worked satisfactorily, and the Review Team foresees no need for changes.

The Project Paper also called for a Project Management Board composed of representatives from each grantee organization. The Board, which would be advisory rather than operational, would receive quarterly Project progress reports, propose linkages and efficiencies across Project components, and advise on Project adjustments. The project paper was deficient in specifying the level of representation on the Board, particularly in relation to "parent" government ministries like MLA and MIBS. Because Zambia was emerging from a one-party state, the Project designers intentionally resisted investing too much authority over the Project in the hands of Permanent Secretaries (whose commitment to goals of democratic governance was unknown), preferring instead to work outside government channels through leaders in civil society. The DGA has since established good working relations with top officials in all participating Ministries and laid some of these concerns to rest. In May 1993, he proposed upgrading grantee representation on the PMB to the Ministerial level under the chairmanship of the Minister of Legal Affairs.

In practice, and despite the best efforts of the DGA, GRZ officials (notably the current Secretary to the Cabinet and a previous Minister of Legal Affairs) have been unwilling to take on responsibility of chairing the PMB. This reluctance does not diminish the strong sense of ownership displayed by Zambian

partners in individual Project components. Rather, it seems to reflect a reaction by overworked senior officials to extend themselves into areas of DG endeavor beyond their official terms of reference. In the absence of a senior Zambian leader willing to convene the PMB, the integration of Project components has suffered and opportunities for cross-fertilization have not been fully realized.

Existing Linkages. Some synergies nonetheless have occurred as a result of initiatives by the DGA, contractors, or Zambian partners. Generally speaking, FODEP has fostered the most connections with other Project actors, whereas the Cabinet Office (ironically for a unit charged with policy coordination) remains isolated and aloof. Examples of existing Project linkages include the following:

* At the request of the President of Zambia, FODEP played a major role in identifying commissioners selected for the Constitutional Reform Commission. Two of these commissioners were FODEP Board members.

* The Board of FODEP made a corporate submission to the Constitutional Reform Commission during its public hearings in Lusaka.

* FODEP's civic education workshops begin with the "rights and responsibilities of citizens", drawn from the 1991 Constitution's Bill of Rights. The new constitution will be incorporated into the civic education curriculum as soon as it is available.

* On the basis of relationships forged with individual Members of Parliament, FODEP has convened elected leaders workshops involving elected representatives from the National Assembly.

* Several member organizations of FODEP, some of whose leaders have been represented on the FODEP Board, have been beneficiaries of the Civic Action Fund administered by the PAU (e.g. Catholic Commission for Justice and Peace, Women's Lobby Group, Tilipo Theatre Group). FODEP and these groups make use of each others' civic education materials, some of which have been developed with Project funding.

* FODEP employed ZAMCOM to produce at least one educational video (on voter registration), though the full potential of FODEP-ZAMCOM linkages in the mass media campaign for civic education has yet to be realized.

* The PAU urged FODEP to accept ZAMCOM's bid to produce materials for the mass media campaign for civic education though, regrettably, FODEP ultimately chose another contractor.

* SACOG has incorporated research findings from MSU's political attitudes survey and elections data set into FODEP's civic education curriculum.

* FODEP will be contracted by the CRC to undertake publicity and civic education on the new draft constitution.

Missing Links. Regrettably, some opportunities for potential Project synergies have been missed, for example:

* The Cabinet Office decided not to hold the workshop on policy formulation and implementation with the National Assembly as recommended in the Project Paper. The Secretary to the Cabinet apparently believes that, under the doctrine of the separation of powers, that MPs have no legitimate role in Cabinet affairs.

* The UNZA Department of Mass Communications refused to allow ZAMCOM to hold a workshop on desk-top publishing in the computer laboratory funded under the Project.

Recommendations:

* The Project Management Board should be allowed to lapse. In its place, the DGA should use his new opportunities for policy dialogue to foster Project synergies as and when opportunities present themselves.

* USAID/Z should allocate a fund (possibly from PDS resources) for the use of the DGA in breaking minor Project constraints and encouraging linkages (e.g. convening working events) among participants from different Project components

Other Donor Activities

Accompanying what Huntington has characterized as the "third wave" of democratization has been a major emphasis on supporting democracy and good governance on the part of international donors both multilateral and bilateral. USAID has the only integrated Democratic Governance Project currently operating in Zambia, but a number of other donors have been active in each of the component areas of the Zambian DG Project:

Support for the Constitutional Review Commission (CRC) is provided by a consortium of donors through an arrangement brokered by USAID. Denmark, Finland, Norway and Sweden provided financial and material support to the CRC's regional tours. The Scandinavian countries supported an international study tour for some members of the Commission. The UK provided the services of a constitutional law expert who worked with the Commission drafting Committee during May 1995. The Netherlands has funds available, not yet tapped, to support the Commission, and the European Union has funds earmarked to support the process by which the constitution is to be adopted, whether it be by constituent assembly, referendum, or other means.

In civic education, US support to FODEP has been supplemented by Scandinavian and German funding of particular by-election monitoring exercises. FODEP has recently received a vehicle and other commodities from Japan. Beyond FODEP, the Scandinavian countries have supported an array of civic education activities by other NGOs, most prominently the Zambian Civic Education Association (ZCEA) and the Zambian Independent Monitoring Team (ZIMT). The UK has undertaken to print the report of the Human Rights Commission when it becomes available later this year.

A number of donors are active in the media independence realm. USAID support to ZAMCOM replaced support earlier given by the German Friedreich Naumann Stiftung (FNS). ZAMCOM has also been the beneficiary of British Council activities. Finland is a major supporter of the journalism training program at Evelyn Hone College. The FNS continues to support work in the media area through the recently established Media Resource Center.

While USAID's Legislative Performance Component has been stalled, the National Assembly has received bilateral support from other donors including computer and printing equipment provided by the Germans and study tours supported by the Scandinavians.

The Policy Coordination Component of the DG Project is an adjunct to the much more broadly focused Public Service Reform Program (PSRP) which is supported by an array of donors, including UNDP, British ODA, the Irish, and the French.

The DG Project is not the only US-sponsored activity in the DG realm in Zambia. Other initiatives include: USAID's 1994

grant to the National Democratic Institute (NDI) for a program of Political Party Strengthening; a USIS program being conducted by the US National Conference of State Legislatures which has involved several National Assembly staff members in study tours and seminars; the International Visitor (IV) Program operated by USIS which each year takes a number of Zambian journalists and civic activists to the US; a USIS initiative in rule of law which has worked effectively with the court system by bringing in judicial experts from the US; and the Democracy and Human Rights Fund (DHRF) operated out of the Embassy which annually makes a number of small grants to Zambian organizations.

The existence of DG activities on the part of other donors and on the part of other US programs immediately raises the need for coordination. The activities of the DG Project are coordinated with other US activities through the Project Advisory Committee, chaired by the Ambassador and including the USIS Public Affairs Officer and the USAID Director. The DGA represents USAID on the IV Committee and the DHRF Committee. Travellers to the US under the IV program in the last two years have included FODEP secretariat members and officers of other civic education NGOs. The DHRF has been used to support several small activities in rule of law, an area of activity which was not incorporated in the DG Project design.

The activities of the DG Project are coordinated with related activities of other donors through a closely knit donor coordination group. This group was convened initially in May 1993 by the Swedish embassy, and focused on democracy and human rights. At first the group met sporadically. Concentration on putting together the package of support for the CRC in late 1993 and early 1994 cemented the group, which has since then met monthly. The original focus on democracy and human rights has gradually been broadened to include both democracy and governance--an evolution which USAID has encouraged.

The donor coordination group brings together the major bilateral players in democracy and human rights (Denmark, Finland, Sweden, Netherlands, Germany, UK and US) together with the European Union, and hence is a good fit with the current DG project components. The prospect of adding other activities under the DG Project and the widening of the focus of the group means that the current fit between its participants and its concerns is less comfortable than previously. There are a number of additional players in the more broadly defined area of governance. The World Bank has a major Financial and Legal Management Upgrading Project (FILMUP) which plays an important role in rule of Law. A number of donors, including the UNDP, French and the Irish, support PSRP. Having said this, however, it may be noted that higher level coordination of donor efforts in democracy and governance is provided within the Consultative Group framework. In 1995 a series of quarterly meetings in Lusaka between GRZ and major donors was

initiated to supplement the annual consultations at the Paris CG meeting.

Proposed New Project Activities

The Review Team regards the following mid-term amendments to the Democratic Governance Project as worthy of USAID consideration in the context of supplementary Project redesign:

1. Electoral Reform (in collaboration with other donors)

- * Immediate updating of electoral registration lists and institution of continual electoral registration list updating,
- * Implementation of anticipated Constitutional provisions for an independent electoral commission,
- * Monitoring of forthcoming local government elections and/or the 1996 national elections, by Zambian civic action groups

2. Rule of Law

- * Strengthened capacity of the Law Development Commission to identify legislation that should be abolished, and for reformulation of legislation as needed, in order to establish legislative consistency with a new, more democratic constitution,
- * Streamlining of judicial processes to reduce court backlogs through such means as alternative dispute resolution technology and/or training and equipping of court stenographers,
- * Reformulation of traditional law and procedures to be consistent with anticipated constitutional due process and human rights guarantees, especially with respect to women's rights.

3. Decentralization/Local Government

- * Local government capacity through a competitive grants program modelled on the Ford Foundations "Initiatives in State and Local Government" Program.
- Implementation of anticipated constitutional provisions for decentralization that will empower provincial and local government.

4. Women's Rights

- * Revision of legislation and administrative practices to enhance women's opportunities for full participation in Zambian political life.

The Review Team estimates that all recommendations concerning existing Project components can be implemented within the authorized Project funding level of \$15m. The redesign team will require guidance from USAID/Z on the anticipated levels of available funding for any new Project activities.

Recommendations:

- * USAID/Z should commission a supplementary Project redesign for acceptance before the third anniversary of the Zambia DG project on September 28, 1995.

- * Because the Project goal and purpose will remain unchanged, and any redesign will take the form of mid-term amendments to a project that is generally proceeding well, the Review Team considers that this objective can be accomplished more readily through amendments to the Revised Amplified Project Description or through Project Implementation Letters, rather than commissioning a full-blown Supplementary Project paper.

- * In order to build upon lessons learned in the course of this Review, the DGA REDSO/ESA should lead the redesign team, assisted by a PDO.

- * The Scope of Work for the Project Paper supplement should direct the design team to assess the feasibility of the above proposed new Project activities and the recommendations in each component of the Project as presented in this report.

Mid-Term Review Team

The Mid-Term Review Team was composed as follows:

Michael Bratton (Professor of Political Science and African Studies, Michigan State University) was Team Leader. He designed and edited the report. He also wrote the political context analysis, sections on civic education, and the last draft of the National Assembly component. In consultation with the Team, he shaped the Principal Conclusions, Executive Summary, and Proposed New Project Directions.

John Rigby (President, International Institute of Rural Reconstruction) served as Project Management/NGO Specialist. He wrote the sections on USAID and contractor management, the institutional development of FODEP, and the Civic Action Fund. He also played a vital role in orienting the Team to USAID's expectations and communicating the Team's findings to USAID/Z personnel.

John Harbeson (Regional Democracy/Governance Advisor, USAID/REDSO/ESA) filled the post of Political Scientist/ Constitutional Law Specialist. As well as composing the sections on the constitutional reform and monitoring and evaluation, he reviewed all sections with a particular attention to consistency with USAID and Zambia Mission DG strategies.

John Makumbe (Senior Lecturer, Department of Political and Administrative Studies, University of Zimbabwe) acted as Political Scientist/Management Training Specialist. The section on policy coordination in the Cabinet Office is his work.

Folu Ogundimu (Assistant Professor, School of Journalism, Michigan State University) fulfilled the duties of Media Specialist. He wrote the section on media independence.

Dorothy Muntamba (on leave from her post as Assistant Secretary, Ministry of Communications and Transport, Government of the Republic of Zambia) was the Team's Gender Specialist. She wrote the cross-cutting gender analysis.

Philip Alderfer (Democracy/Governance Fellow, Department of Political Science, Michigan State University) was the Team's Research Associate. He prepared the first draft of the report of the National Assembly component and assisted with the gender analysis.

The Team as a whole contributed to the report's recommendations. The introductory Project description and the subsection on Other Donor Activities was written by **James Polhemus**, Democracy/Governance Advisor, USAID/Z; at the team leader's request, he also made a major input and supporting documentation for the Proposed New Project Directions.

Thanks are due to **John Wiebler**, PRM/USAID/Z for sharing his institutional memory of the Project and allowing the Team full access to all Project Files, documentation and financial records. We also thank **Georgia Bowser** and **Joseph Temba** for providing, not only a lot of their time, but also data from Southern University's management information system.

First drafts of relevant sections of the report were reviewed by participating project institutions in Zambia and some of their comments were incorporated into this revised draft.

Declaration of Interests

Two members of the Mid-Term Review Team had close involvement in the design and implementation of the Zambia Democratic Governance Project. We wish to disclose these prior interests and to document measures taken to insulate them from judgements made in this Review.

Michael Bratton was a member of the team that conducted the initial Democracy Assessment in Zambia in May 1992. He later led the design team that prepared the Project Paper in August/September 1992. He is also the Principal Investigator for the USAID/Zambia's Cooperative Agreement with Michigan State University (MSU) to deliver monitoring and evaluation services to the Zambia DG Project, of which this Mid-Term Review is a major component.

John Rigby was Project Manager from September 1991 to December 1993 for the USAID/AFR contract with Associates for Rural Development (ARD) to initiate DG assessments and designs in Africa. Rigby was employed for this purpose by ARD's subcontractor, Management Systems international (MSI). The assessment and design of the Zambia DG Project were conducted under this contract. From his position at ARD, John Rigby provided interim management services on request from USAID/Zambia in the period before a DGA arrived at post in Lusaka. He also wrote reports on the media independence component, including the relevant section of the Institutional Baseline Study. Rigby's current institution, IIRR, has no past, current, or prospective relationship to this Project.

The existence of these interests was discussed with USAID/Z at the time that MSU was seeking approval of the composition of the Mid-term Review Team. In consultation with the RCO/REDSO/ESA, USAID/Z decided that Bratton and Rigby could be included on the Team. The apparent rationales were that (a) the Review was an in-house exercise aimed primarily at informing decisions within the Project and (b) the principals provided institutional continuity and specialized knowledge that would benefit the Review.

We have taken the following measures to avoid conflicts of interest:

* Bratton recused himself from the section of the report dealing with monitoring and evaluation because of his relationship with this activity through MSU. This section was researched and written independently by John Harbeson.

* Rigby recused himself from the section of the report dealing with media independence since he had done previous work on this component. This section was researched and written by Folu Ogundimu alone.

* Rigby also recused himself from the policy coordination component since his prior employer, MSI, is a principal contractor in this component. This section was compiled by John Makumbe, working independently.

126

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Mr. Lavu Mulimba	MP, Petauke
Mr. F.K.M. Sumaili	Former Deputy Clerk

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Mr. John Mwanakatwe	Chair
Ms. Lucy Sichone	Vice-Chair
Mr. Sipula Kabanje	Secretary
Mr. Villie Lombanya	Deputy Secretary
Ms. Hillary Fyfe	Commissioner
Ms. Beatrice Chileshe	Commissioner

Ministry of Education

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Ms. Khonje	Acting Deputy Secretary (T/C)
Mr. Songisu	Schools Inspector, Civics

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Ms. Josephine Mapoma	Permanent Secretary
Mr. Milton Chalimbana	Deputy Permanent Secretary
Mr. Robert Makola	Asst. Secretary for the Press

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Mr. K. Mulenga	Deputy Permanent Secretary
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Mr. Russell Dixon	Second Secretary, British High Commission
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Mr. Godfrey Malaama	Editor, Sunday Times of Zambia
Mr. Duncan Mbazima	Director General, Zambian National Broadcasting Corporation
Mr. Fred M'membe	Managing Editor, The Post
Mr. John Musukuma	Managing Director, Sun Newspapers Ltd.
Mr. Jumbe Ngoma	Executive Director, MultiMedia Zambia
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Mr. Robson Mwansa	Director of Elections

141

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Michigan State University

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145

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List of Acronyms

ABIC	Africa Bureau Information Center
AFR	Africa Bureau
ARD	Associates in Rural Development, Inc.
CA	Cooperative Agreement
CAF	Civic Action Fund
CC	Cabinet Committee
CDIE	Center for Development Information and Evaluation
CLO	Cabinet Liaison Officer
CNU	Caucus for National Unity
CO	Cabinet Office
CPA	Chief Policy Analyst
CRC	Constitutional Review Commission
DG or D/G	Democratic Governance or Democracy/Governance
DGA	Democracy Governance Advisor
FODEP	Foundation for Democratic Process
GRZ	Government of the Republic of Zambia
HBCU	Historically Black Colleges and Universities
IDR	Institute for Development Research
IMCO	Inter-Ministerial Committee
IQC	Indefinite Quantity Contract
IPC	Implementing Policy Change
LPSG	Legislative Performance Study Group
MIBS	Ministry of Information and Broadcasting
MLA	Ministry of Legal Affairs
MMD	Movement for Multiparty Democracy
MOE	Ministry of Education
MOU	Memorandum of Understanding
MRC	Media Resources Center
MSI	Management Systems International, Inc.
MSU	Michigan State University
MP	Member of Parliament
NCDP	National Commission for Development Planning
NGO	Non-governmental organization
NORAD	Norwegian Agency for Development
NP	National Party
PAC	Policy Analysis and Coordination Division
PAU	Project Administrative Unit
PID	Project Identification Document
PIL	Project Implementation Letter
PIR	Project Implementation Review
PMB	Project Management Board
PP	Project Paper
PPA	Principal Policy Analyst
PRM	Program Officer
PW	Price Waterhouse
REDSO/ESA	USAID Regional Development and Support Office for Eastern and Southern Africa, Nairobi, Kenya
RD/EID	USAID/W Bureau for Research and Development, Office for Economic and Institutional Development

SACOG	Southern Africa Consulting Group
SC	Secretary to the Cabinet
SU	Southern University
TOZ	Times of Zambia
UDP	United Democratic Party
UNDP	United Nations Development Program
UNIP	United National Independence Party
UNZA	University of Zambia
ZANA	Zambia News Agency
ZAMCOM	Zambia Institute of Mass Communications
ZAMTEL	Zambia Telecommunications
ZDM	Zambia Daily Mail
ZIS	Zambia Information Services
ZEMCC	Zambia Elections Monitoring Coordination Committee
ZNBC	Zambia National Broadcasting Corporation