Participatory Local Governance in Asia

What is Lok Niti?

"Lok Niti" and "Raj Niti" are terms coined from the Sanskrit by Mahatma Gandhi. Lok Niti signifies people's politics, the people in command and direct governance by the sovereign people, as opposed to Raj Niti, the politics of the nation state or indirect rule by a centralized government leadership based on current "democratic" forms of party and representative political institutions. The concept of Lok Niti was the political basis of Gandhi's socio-economic "Constructive Programme", which is now known in India as Sarvodaya.

An increasing number of us who are associated with the Asian NGO Coalition (ANGOC) feel that we have begun to find our bearings in the tangled terrain of "development" through commitment to the "gentle anarchism" of Mahatma Gandhi--a body of principles for both personal and social transformation through work in support of decentralized, village community oriented, rural development, guided by the ideals of satyagraha and non-violence and harmonization with both nature and tradition.

Lok Niti as the journal of the Asian NGO Coalition is a very tentative beginning in the Asian NGO network.

-- Chandra de Fonseka, former editor-in-chief ✟

PARTICIPATORY LOCAL GOVERNANCE IN ASIA

EDITORIAL

This year marks the last of three training modules conducted by ANGOC since 2004 under the Third Country Training Program (TCTP) "Building Capacities of Asian NGOs in Poverty Reduction through Community Actions" being supported by JICA. The last training module focused on Participatory Local Governance.

Apart from agrarian reform, promoting participatory local governance is a hallmark both of ANGOC's history as well as of its personality. Lok Niti, the Sanskrit term which translates to "people's politics", "the people in command", and "direct governance by the sovereign people", has ever been ANGOC's guiding principle. Indeed, this journal is named after it.

Twenty-seven years since ANGOC was established, Participatory Local Governance remains one of ANGOC's major development thrusts . Some of the earliest initiatives of ANGOC in this regard had to do with getting more NGOs and grassroots organizations to participate in formulating development policies. Hence, ANGOC had sought to establish mechanisms through which NGOs and people's organizations could hold dialogues, and otherwise interact, with Governments, intergovernmental development agencies, donors, and even the multilateral development banks. ANGOC distinguished itself in the 1990s as one of the organizations at the forefront of the NGO Campaign with the Asian Development Bank.

In recent years, ANGOC has changed strategies, focusing instead on facilitating direct community participation in development processes. This issue of Lok Niti is devoted to such kinds of community action. The examples of Participatory Local Governance featured here were drawn from case studies presented by participants to the third TCTP training module conducted by ANGOC, with the support of Japan International Cooperation Agency (JICA) and ActionAid International. Our appreciation goes to the participants to the Training, as well as to their respective organizations, for providing the papers featured in this publication.

The country backgrounders featured here were drawn from the UNESCAP's *"Local Government in Asia and the Pacific: A comparative analysis of fifteen countries"* (http://www.unescap.org/huset/lgstudy/comparison1.htm) and from *The Economist Country Briefings*. Our deepest thanks. We likewise credit The Economist for the pictures used in this issue.

They say the best examples of governance today are happening at the local level. We hope that by publishing these stories , we may help create awareness of the spectacular growth of these communities in terms of their understanding of what development entails and of their capacity to translate this understanding to action.

It is enough to humble us, who stand behind these communities, and to remind us--everyday and despite appearances--who is leading whom.--*TLD*

BANGLADESH

Shallow, hollow reform

Political structure

Unitary form of government divided into six Administrative Divisions headed by a Divisional Commissioner. Each Division is sub-divided into Districts with a District or Deputy Commissioner as Chief Administrator. Districts are divided into sub-districts. The Divisional level is the highest tier of administration after the national level, whereas districts are the focal points in the administrative system. Local government is entrusted to elected Municipalities in urban areas and to elected Union Councils in rural areas. Four of the largest municipalities have been given metropolitan status of city corporations and are run by elected mayors. In addition some urban centres are under military Cantonment Boards.

Local government system

By law, rural Bangladesh is supposed to have a four-tier local government system with units at the district (Zila Parishads), Upazilla (Upazilla Parishads), Union (Union Parishads) and village (Gram Parishads) levels. In practice, however, elected local government bodies exist only at the union level. Union Parishads were constituted through election in December 1997.

The two higher-level tiers, namely, the Upazila Parishad and the District Parishad, have been defunct, since 1991 and before 1991, respectively. The Gram Parishads started functioning only since August 2003.

Urban areas have a separate set of local governments. The Bangladesh Census Commission recognized 522 urban areas in 1991 (with a minimum population of about 5000 or more) but only about 269 of the larger urban areas have urban local governments. The six largest cities have a City Corporation status, while the rest are known as Pourashavas, or Municipalities, which are classified according to financial strength.

Local autonomy

Elected representatives at the Union level effectively remain subservient to the central government officials at the Upazila level, and through this, to the district and national levels. Even where the relationship between elected representatives and local level government officials is good, this owes largely to expectation of mutual (sometimes unlawful) financial (unlawful) gain. Senior bureaucrats at the local level control officers of local government bodies as they are seconded or appointed by the government. As argued by Siddique, "the central government has always tended to favor bureaucrats in their relationship with the local elected functionaries".

A recent central government policy giving Thana Executive Officers the authority to nominate the members of the village local government unit (LGU) is expected to extend central government control to the grassroots level. Another policy allowing the Members of Parliament to be directly involved in development work may impinge on the power of the (future) Upazila level elected chairperson and members as well as the Union LGU Chairperson. There is still an unresolved debate on the issue.

The introduction of the Village LGU may also cause tensions between the Village LGU Chief and the Union LGU chairperson, in regard to sharing power and responsibilities. The Rural and ru-

ral-regional local government system seems headed towards uncertain times, to put it mildly. As far as the urban local governments are concerned, relationships are also far from satisfactory. Even the largest City Corporations are in many ways controlled by the central government bureaucracy. They are dependent on central government not only for financial grants, but also for appointments to the corporation. The situation at the Pourashava, or municipal, level is even worse. Officials appointed by the central government at such levels are accountable to the central government and not to the local government elected representatives. The Chief Executive Officer has scope to take decisions on his/her own without proper authorization from the Chairman of the Municipality. Municipalities are moreover often constrained by government orders, which contradict Municipal Ordinance provisions. Municipalities and City Corporations sometimes receive support from the central government in implementing donor-supported projects, like infrastructure improvement or even poverty alleviation. In contrast, urban and local bodies are not allowed to receive donor grants directly. Everything is channeled through the central government and its agencies. There remains, therefore, little scope for strengthening of local government bodies.

Like in rural regions, MPs in urban areas are being encouraged to get involved in local level development and services delivery activities. This may not augur well, if City Mayors and Pourashava Chairmen feel uneasy with each other, especially where MPs and Mayors are not from the same political party.

Local government reform

At different times, various efforts have been undertaken to strengthen Bangladesh's local government bodies. However, almost all of the major local government reform efforts have addressed only secondary issues, i.e., number of tiers, relationship between tiers, and composition, etc. Substantive and core issues, like devolution of authorities and powers and transfer of wide ranging functions to the local bodies towards enabling them to function as decentralized self-governing local units have not received adequate attention.

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As a result, local governments have remained institutionally and financially weak, and poorly managed, lacking social and political credibility. They are regarded as mere extensions of the national government, and elicit only limited local participation.

Steps have been taken by the Government in recent years to give more importance to the empowerment of local governments, beginning at the village to the district levels. The Gram Parishad Bill (1997), Union Parishad Bill (1997) and the Gram Sarker Bill (2003) have already been approved, but the Upazila/Thana Parishad and Zila Parishad Bills have yet to be submitted to the Parliament. The Upazila Parishad Bill carries enormous significance as there is huge popular demand for the re-establishment of the Upazila Parishads. The present government had also promised the same in its 2001 election manifesto, but remains undecided about its implementation. The District LG like the Union LG system, has a very long history in this country. All political parties also recognize it and a section of administrative theorists to be an effective development oriented meso-level local government hierarchy. Some consider the Upazila and Union LGs to be the viable two-tier local government hierarchy (Siddiqui, 2000 and Ahmed, 2002). Yet, it appears that the government is not enthusiastic about the recommendation to transfer or devolve 26 Departments of the central government at the Upazila and district levels. However, the debate is ongoing and a positive outcome is expected.

The autonomy of urban local governments is also yet to be discussed, and was not included in the Terms of reference of the Commission set up in 1997. The opposition to Dhaka's proposal of forming a Metropolitan government indicates increased resistance to granting autonomy even to the country's largest city.

Since Independence in 1971, successive governments have tried to use the local government system for their own political interest. The party or regime in power has wanted to make the local government representatives their power base and manipulated the system to this end.

In a recent paper, a Dhaka University Professor of Public Administration notes that:

"The existing administrative structure and elected local bodies do reach the grassroots level and have almost all the features necessary for participatory decentralized administration. But this structure has failed so far to perform efficiently for two reasons. Despite the strong support for local government enshrined in the Constitution, the central government has compromised these advantages by exercising control over local government and starving these agencies of resources. Most administrative decisions still remain to be taken centrally. Frequently they involve top-level officials in the secretariat, even some ministers depending on the subject. Several abortive attempts have been made at decentralization, but the system has remained highly centralized. As such, local bodies are characterized by weak administrative capacity, a limited financial and human resource base and little public participation" (Ahmed 1997).

Aware of the above problems, the Awami League Government had set up a high-powered Reform Commission, with the objective of:

"Establishing truly representative democratic local bodies entrusted with administrative and financial powers with a view to expediting decentralized development process and ensuring spontaneous people's participation in planning and management of local level development" (Ahmed 1997).

The intention of the Government was clear and straightforward. It had already shown sufficient commitment, but still had to prove whether the intent could be transformed into reality. In that respect, the December 1997 election of the 4503 Union Parishads under the new local government provisions was a big test case.

The real outcomes have been far from satisfactory, because of many factors, but primarily because of the center's lack of genuine commitment to real decentralization.

The past BNP-led coalition government had also laid emphasis on empowering local governments. It held elections in three of the four older City Corporations and, for the first time, in the two newly established City Corporations (Sylhet and Barisal). The Government has also recently held elections to more than half of the 4451 Union LGUs of the country. Elections in Bangladesh

are held with great fanfare, but not without some violence and irregularities.

The power of municipalities and corporations needs to be enhanced in Bangladesh, in both political-administrative terms as well as economic terms. Higher degrees of self-reliance on the part of the urban local bodies would be necessary for their autonomous existence and reduction of central control.

Local participation

The Constitution of Bangladesh (1972) emphasizes the need for establishing local government with a representative character (Chapter 3, Article 59). It also provides for direct participation of the people in constituting local bodies and in managing the affairs of such bodies. However, in the years following the adoption of the Constitution, the spirit of people's participation in local bodies has not always been adequately maintained. Frequent changes in the local government structure are partly responsible for this. The extent and quality of people's participation have also been variable. The best manifestation of participation was the opportunity of casting votes during the election of local bodies (2002-2003). But elections have not been held at regular intervals.

For urban local bodies the voting participation record (in 2002) was satisfactory in four City Corporations for the first time since the 1994 elections. At the recommendation of the Local Government Commission, direct election of women representatives for all levels of local government (both for reserved and unreserved seats) is also encouraged. The Union Parishad bill has already approved this. The first elections for the Union LGUs, where women were represented, was held in 1998, and subsequently in 2003. The Commission has also recommended the participation of various categories of disadvantaged groups in local body activities, through their nomination in committees or in the Village LGU.

At the Union level, local people are able to participate in activities through their membership in different committees, like project implementation committees, standing committees, tender committees, etc. But the authority of the Deputy Commissioner to approve/endorse the committees limits the authority of the local government.

Local citizens can also get involved in Union level planning, budget formulation, accounting and auditing. LGUs are required to display in their offices and other public places information such as budget, accounts, audit reports and information on major decisions reached at the Union LG meetings, particularly with regard to development projects. But this practice is almost absent in most of the existing Union LGUs. This is due to the reluctance of Union LG chairpersons to share information with the community and the people's lack of awareness of such an important provision.

At the village level, people's participation is very much evident in all NGO-led programs, as well as in many government-led ones. In urban areas, local level (i.e. Ward level) participation has been sought, but with limited success so far. The urban local governments with slum improvement projects, are quite effective in encouraging participation by community members, especially women. Some City Corporations and Municipalities with Healthy City Projects (including Chittagong, Rajshahi, Cox's Bazar and Sylhet) have also been able to ensure public participation in their activities. However, it should be mentioned that public participation in purely local government led programs is still limited. In fact, local governments are as slow as their central government counterparts in initiating good programs or in devising innovative actions. As a reactive measure, civil society groups are now coming forward to begin action and invite/ encourage local governments to participate with them.

Related issues in local participation

Politics and NGOs
There are about 20,000 non-governmental organisations (NGOs) in Bangladesh, probably more than in any other country. Yet, Qazi Faruque Ahmed, president of Proshika, claims that their (NGOs') influence in the country has waned in recent years.

Proshika claims it has had its activities curtailed because the government believes it has links with the Awami League, the main opposition party. Ahmed says the government has no evidence of such links. But he says that Proshika supports "women's empowerment, good governance and promotion of human rights", and that fundamentalist religious parties in alliance with the government "are very much against these activities".

Ahmed reckons that as much as $40m due to Proshika from overseas donors has been stopped by the government. He claims that his home and Proshika's training centre have been raided on government orders, and says that two members of Proshika have been charged with treason.

The government maintains that employees of Proshika campaigned for the Awami League in rural areas during the 2001 general election. So bitter is the division between the Bangladesh Nationalist Party and the Awami League that such partisanship is considered unforgivable. However well-meaning the NGOs of Bangladesh may be, they are continually at risk of being caught up in the country's stormy politics.

Women's participation
The election of women to the Union and Village LGUs was widely acclaimed in the country, as women had been left out of local government institutions in Bangladesh for many years.

However, after the elections the women members found that their participation in Union level functions was limited by the resistance of the chairperson (usually male) and other male members of the Union LGU. This is due to the ambiguity in the law concerning the role of members holding "reserved seats" in relation to that of members holding "general seats".

Eventually, some selected functions were assigned by government order to the women members (i.e., membership in Project Implementation Committee (PIG), Social Development Committee, Road Maintenance Project and Old Age Pensioner Selection Committee, Tube-well Selection Committee etc). Nevertheless, the legal framework remains unclear as to the role of the female members in the regular functions of the Union Government; as a result, the women have been excluded from mainstream Union activities.

Again, because of limitations in the Ordinance, even though women members are now directly elected and represent larger constituencies, they have not been provided with the corresponding powers and functions. This has led to a power imbalance among the male and female members of the Union LGU, which in the long run would have significant social implications in regard to women's empowerment in formal political organizations and in the community.

Sources

Bangladesh Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

"Being well-meaning is no protection," *The Economist,* Mar 13, 2003.

UNESCAP, Country Reports on Local Government Systems: Bangladesh, http://www.unescap.org/huset/lgstudy/new-countrypaper/Bangladesh/Bangladesh.pdf

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm

CAMBODIA

Starting up the engines of reform

Political structure

Multiparty democracy under a constitutional monarchy.

Local government system

Article 145 of the Constitution (adopted on September 21, 1993) provides for three administrative levels for both cities and provinces: cities are divided into Khans (districts) which, in turn, are sub-divided into Sangkats (communes), while provinces are sub-divided into Sroks (districts) and Sroks into Khums (communes).

People's Committees have been established in all provinces, municipalities, districts, communes, and wards and these take charge of local administration, public security, and local order. Within this system provincial officials and the governor effectively control the armed forces and security services, tax collection, civil service—and through these, 80% of the Cambodian population. The country's provinces have remained under the control of the Cambodian People's Party (CPP), beholden to old political loyalties rather than to the central authority of the State of Cambodia. To change this system the National Assembly passed laws to secure central control of the economy. On January 1, 1994 laws governing the national budget and finance were enacted to try to ensure that all revenues came totally and directly to the national treasury.

Relationship between the central and local government

Provinces, cities, and districts are subordinated to the Ministry of Interior which represents the central government in all administrative and socio-economic matters within their boundaries. Districts are immediately subordinate to the province/city.

All provincial/city governors and district heads (also called "governors") are appointed and paid by the central government.

Local administration, particularly of communes by the districts, is based on "a traditional-political-personal relationship rather than a legal one." Prum Virak, in his paper entitled "Reforming Cambodian Local Administration: Is Institutional History Unreceptive for Decentralization?", quotes Kea [Kea Kiri Renol (2005). "A Perspective from the Village in Cambodia: Toward Democratization from Below", *Forum of International Development Studies*, Number 28], thus:

> "Commune leaders are loyal to the ruling party. They believe that they would benefit from maintaining good relationships with their political leader. If they do not follow their party's policy, their villages may be cut off from national level development assistance [...]."

Prum suggests that the central-local relationship is dictated not so much by bureaucracy as by tradition. The government hierarchy has been built on traditional authority figures or structures which the localities have retained. For instance, throughout the socialist period (1980-1993), a *Mekhum* (Mayor)'s post was held by the same person.

Prum argues that the provinces are highly autonomous. Prum quotes Devas [DEVAS Nick (1996). "Reshaping government at the local level in Cambodia: with an example of urban water supply in Battambang", *Public Administration and Development*. Vol. 16:31-41] who puts forward two reasons for this. Firstly, security reasons would not allow the central government to exercise "any uniform control". Secondly, the provinces have retained a large part of collected taxes and exercised "a degree of control over resources".

Local government reform and related issues

An important step towards decentralization was the election of Commune Councils (CCs) on February 3, 2002. (The Law on Khum/Sangkat Administration [LKSA], promulgated in March 2001, made the commune a directly elected administrative unit.) After the election, 1,621 commune and sangkat councils were established. Each council is headed by a commune chief; in total 11,261 commune councilors were elected during the February 2002 elections.

The elections were touted to be the beginning of a new political process in which popularly elected Commune Councils (CCs) would undertake roles and functions relating to public service delivery, promotion of local social and economic development, protection of natural resources and meeting citizen's overall needs. However, the CCs as it turned out are not as autonomous as they were made out to be. It was widely believed for instance that the authority of the commune would cover everything except that which is prohibited by central rules. However, the "memorandum outline of the scope and content of decentralization in Cambodia" prepared by the Ministry of Interior (MoI) has made it very clear that "specific or general functions and powers [of the] commune must still be identified by sub-decree" (MoI, 2000: 7) and that it is necessary to develop guidelines that will specify which functions would be decentralized (devolved) and which would be deconcentrated (MoI, at 8). As of 2005, such specific or general guidelines have not yet been established, rendering the government's decentralization policy nothing more than lip-service, argued Prum.

Another issue related to the government's decentralization efforts has to do with misperceptions among the general public and even among CC officials of their role and authority. A CC governs the commune administration. It is supposed to actively promote the development of the commune and the well-being of its citizens. However, CC officials tend to understand their roles more in the context of local development planning than broad local governance. They can describe the planning process, elaborate how they complete related forms and collect people's contributions to projects, but they have difficulties, for instance, in relating their roles to local problem-solving, opening local decision-making processes to citizens, or representing citizens' collective interests at higher levels.

In most cases, CCs simply follow the lead and advice of the Provincial Facilitation Team (PFT) and District Facilitation Team (DFT) rather than taking up their own initiatives. This is due not only to low capacity but also to lack of clarity in the respective roles of the CCs and the departments. In the area of natural resource management, in particular, CCs say they are constrained from taking initiative because their authority is unclear.

Decentralization reform in Cambodia has focused heavily on commune level planning. A mandatory responsibility of CCs during their first year in office is to prepare and adopt a long-term strategic development plan. A bottom up participatory planning process has been introduced in order to articulate local needs. A new culture of participation has been introduced at the grassroots level. However, the local planning process has also presented challenges to the CCs:

1. The planning process is complex and does not correspond to the capacity of CCs, citizens and government departments.
2. The process is time consuming, costly and prone to creating high public expectations that may ultimately lead to lack of public confidence in CCs.
3. There is no flexibility in the process enabling accommodation of local circumstances and differing capacity levels.
4. Annual review of plans requires retracing of all steps in the initial planning process.
5. The planning process presumes active coordination between CCs and government departments in terms of information sharing, program implementation, budgeting and capacity development. But these links are weak and participation from the departments is largely ceremonial.
6. CC development plans are activity focused rather than designed as strategic long-term plans.
7. Needs and priorities identified by CCs are not incorporated into sectoral and resource allocation plans at the provincial level.
8. There is a large discrepancy between available resources and local development priorities.
9. Activities other than infrastructure development are being sidelined or abandoned unless there is support from government departments or NGOs.
10. There is no mechanism for follow up on commitments made by government departments to CCs. CCs express concern about the willingness and capacity of depart-

ments to deliver in accordance with temporary agreements signed and about the absence of any mechanism for follow-up with the departments.

11. Inter-commune links are weak.

12. Public awareness remains low.

Nevertheless, governance of the commune in Cambodia has been positively changed in the following aspects:

BEFORE COMMUNE ELECTIONS	AFTER COMMUNE ELECTIONS
One political party	Multi-political party
CS chiefs and other members appointed by the Government	CS Council members elected by the people
Commune chief made decisions according to central command	CS council decides and approves on commune matters and commune chief is the implementer
Accountable to the upper level government	Accountable to the people and the government
Top down planning approach	Bottom up planning approach
Lack of people participation in CS development	People participation in planning process and other commune matters
Lack of participation from civil society and private sector in development of the commune	Encourage and promote participation of civil society such as NGOs and private sector in CS development
No commune fund, not able to implement local projects	Commune funds and revenues, able to implement local projects and services
Limited capacity	Improved capacity through training provided by NCSC and on the job training

Local participation

The Royal Government of Cambodia (RGC) has declared its intention to encourage civil society organizations not only to engage in social service delivery but to support good local governance and decentralization, for example through capacity building and social monitoring.

In this regard the RGC "supports" the Cambodian NGO "Commune Council Support Project" (CCSP). The CSSP, which was established in 2000, is an NGO that is "mainly responsible for NGO activities in Cambodia" and coordinates closely with the Ministry of Interior (MOI). *(Such close links with the MOI put the CSSP's independence in doubt.—Ed.)*

CCSP's goal is to promote the decentralization and local governance reforms in Cambodia. CCSP has been able to get the RGC to establish an NGO Liaison Office within the Department for Local Administration (DOLA). The NGO Liaison Office facilitates the flow and exchange of information between NGOs and the RGC regarding decentralization and local governance reforms. It also collects information that is necessary in coordinating stakeholder efforts in this regard. Furthermore, it supports the development and promotion of government-NGO partnerships at both the national and local levels.

The CSSP launched in 2004 **the Decentralization Award Program for Outstanding Local Organization in Local Governance.** This program aims to identify and promote excellence and creativity in commune governance.

All over Cambodia today, a significant number of NGOs and other civil society groups are collaborating with CCs in initiating and implementing innovative programs and projects that aim to satisfy the objectives of decentralization and sustainable development. A few positive examples of local governance partnerships have emerged that other organizations can learn from. However, there has been no initiative to document and disseminate such models and best practices.

The CCSP Awards Program is dedicated to helping CCs to help themselves, and to ensuring that excellence in local governance partnership is recognized and sustained. The program also assists in building the capacity of CCs and their partner civil society organizations through the dissemination of innovative and effective local government programs. It facilitates an exchange of ideas or learning laboratories that could support the process of formulating policy agenda and undertaking reforms, as well as model-building on local governance.

The experience of one of the recipients of this Award is described in the following case study.

The Alliance Association for Rural Restoration

The Alliance Association for Rural Restoration (AARR) was set up on March 27, 1997. It implements projects related to agricultural development in three targets districts, or 40 villages. Its projects focus on capacity building towards promoting food security and augmenting the incomes of the poor.

Economic Impact

AARR has implemented projects to generate jobs in coordination with the Village Development Committee (VDC) and Community Based Organizations (CBOs). Such livelihood generating projects have included the setting up of self-help groups engaged in craft making, home-based chicken and pig raising, and maintaining female buffalo banks, among others. Efforts to increase rice production among poor farmers in the target villages have also been undertaken by AARR.

AARR has also implemented infrastructure projects in response to the needs of marginalized groups. It has for instance taken the lead in repairing damaged irrigation systems, constructing rural roads, and reinforcing water channels. These have helped farmers to properly irrigate their crops and bring their harvest to market on time.

Social impact

AARR promotes local participation in planning for development projects. Transparency and accountability are emphasized in project implementation. Citizens are encouraged to contribute their resources to development projects, such as labor, equipment, money, and even their opinions on how the projects should be conducted. At the same time, AARR promotes information dissemination on health issues (e.g., the spread of HIV/AIDS), helps communities to prepare for natural disasters, and encourages them to settle their problems among themselves using their own resources. Education and training are another feature of AARR's projects.

AARR credits its interventions for the increased motivation among local citizens to actively participate in the decision-making process, such as in the selection of community leaders and of members of the project implementation committees, among others. Poor community members are encour-

aged to run for places in such committees. In fact, many of the committee leaders are poor.

Women especially are encouraged not only to get involved in the implementation of projects but also to actively participate in the decision-making process. Women now lead various committees in the community, thus ensuring that women's issues are more effectively addressed.

Local citizens are also encouraged to take part in the local governance planning process, especially through the Commune Council (CC). Citizens have shared their recommendations on various draft laws, such as the Civil Code, the Constitution, the Water Law, Forestry Law, and Land Law.

Through the coordination of the CCs, partner NGOs and other civil society organizations at the local level, citizens have received capacity building assistance by way of training programs, workshops, study tours, and other exposure visits. These can assist them in the decision-making process and in understanding the roles and responsibilities of citizens within a participatory framework for poverty reduction.

Problems related to decentralization

The limited capacity of CC members to understand the decentralization policy is a key concern of the AARR and of CCSP. Their planning and implementation skills are inadequate as is their understanding of government policy. This affects the cooperation between the local government and civil society organizations because it hinders the commune councillors' participation at all levels.

CCs and local civil society organizations in the remote areas are constrained by financial problems and limited human resources.

Government imposed limitations pose another problem. According to the sub-decree 010 of June 24, 2005, CC members need to ask for permission from the district government and sometimes from the Ministry of Interior before they can participate in a training course or a study tour, for instance.

This sub-decree contradicts the concept of decentraliza-tion because it limits the rights of the elected representa-tives to make decisions on their own.

Sources

Cambodia Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006;

"Cambodia Local Government", http://www.nationsencyclopedia.com/Asia-and-Oceania/Cambodia-LOCAL-GOVERNMENT.html

Case Study on NGO's activities dealing with strengthening local gover-nance in Cambodia, Presented at the ANGOC TCTP on *Promoting Partici-patory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

Prum Virak, Reforming Cambodian Local Administration: Is Institutional History Unreceptive [to] Decentralization?

CHINA

Some reform is local

Political structure

One-party rule by the Chinese Communist Party (CCP). The state council, approved by the National People's Congress (NPC), holds executive power; a president and a vice-president are approved by the NPC for a maximum of two consecutive five-year terms. Legislative power is held by the Unicameral NPC: 2,989 delegates are selected by provinces, municipalities, autonomous regions and the armed forces. The NPC approves the president and members of the state council, as well as the members of the standing committee of the NPC, which meets when the NPC is not in session. There are 22 provinces, four municipalities directly under central government control and five autonomous regions. These elect local people's congresses, and are administered by people's governments.

The politburo (political bureau) of the CCP sets policy and controls all administrative, legal and executive appointments; the nine-man politburo standing committee is the focus of power.

Local government system

The local government system has four levels, as follows:

Provincial level

This level includes the provinces, autonomous regions and municipal governments, which are the highest levels of local government. In 2003, China had 31 provincial-level administrative units, including 22 provinces, five autonomous regions and four municipalities (Beijing, Shanghai, Tianjing, and Chongqing). The so-called autonomous regions are so in name only. The term, however, recognizes the pre-revolutionary predominance of non-Han ethnic groups in Guangxi (the Zhuang ethnic group), Tibet, Xinjiang (the Uighurs, Turkic-speaking Muslims), Inner Mongolia (the Mongols) and Ningxia (the Hui, Chinese-speaking Muslims). China also has two Special Administrative Regions (SARs), Hong Kong and Macau. These are autonomous from the rest of China, having separate governments, legal systems and quasi-constitutions (Basic Laws).

City level

This category includes cities under the jurisdiction of the provinces, prefectures, autonomous prefectures and districts under the jurisdiction of the apex municipalities.

County level

This level includes counties, autonomous counties, county-level cities, special zones, forest districts, industrial and agricultural districts, districts of the city under the jurisdiction of the province, etc.

Township level

These include towns and villages, which are the lowest levels of local government.

A measure of direct electoral democracy is in place at the village level, where triennial elections are now held for around 3.2m village leaders. More recently, officials have started to experiment with grassroots direct elections in urban areas, and, on a more limited scale, polls for township chiefs. However, these polls remain peripheral to the main system of government in China; elected village officials are also officially subordinate to village CCP secretaries, almost all of whom are still appointed officials. This is something that officials in the CCP, anxious to maintain their own power, are in no rush to change.

Local autonomy

The Chinese Constitution provides for the establishment of two mass autonomous organizations at the grassroots level. These are the neighborhood committee for urban areas and the vil-

> The Chinese Communist Party (CCP) has governed China since 1949 and retains an iron grip on politics. Other parties are outlawed and criticisms or reflections on past events (such as the Tiananmen Square protests or the Cultural Revolution) are quickly suppressed.
>
> When Deng Xiaoping died in 1997, Jiang Zemin and Zhu Rongji came to power as president and prime minister respectively. They oversaw China's reunification with Hong Kong later that year and its joining of the World Trade Organization in 2001. But repression of dissent continued, especially of the Falun Gong movement.
>
> At the 16th Party Congress in 2002 Hu Jintao was named leader of the CCP and Wen Jiabao prime minister. Hu, who was thought to be a potential reformer, has proved more authoritarian—cementing his authority by prosecuting cases of graft. Meanwhile, ordinary Chinese have increasingly taken to public protests, which the government quickly suppresses.

lage committee for rural areas. Both committees are supposed to promote direct people's participation in the management of national affairs and are referred to as an important component of China's so-called socialist democratic and political system.

Local government reform

The thirteenth National Congress of the Communist Party of China decided in October 1987 to reform the political system accompanying economic reforms. Five years later, it decided to carry out political reform and bringabout socialist democratic politics with Chinese features.

Notwithstanding its declarations, the central government in China holds all state power and much of the financial resources.

The village governments, which are at the bottom of the government hierarchy, are the poorest and survive only by collecting money from the villagers on all kinds of pretexts.

Abolition of village governments

In the 1990s, China undertook to reform its local government system. Village level governments were abolished and replaced with directly elected Villagers Committees (VCs). Henceforth, all the important decisions concerning the development of the village were to be discussed and voted on by the villagers.

The setting up of VCs is expected to yield the following benefits:
  ▸ Strengthening of the villagers' sense of ownership of the village;
  ▸ Enhancement of villagers' participation in village development efforts;
  ▸ Empowerment of the VCs;
  ▸ Development of participatory democracy in China's rural areas.

Transparency and anti-corruption campaign

In recent years, the Chinese Government has sought to promote "Transparent Government" or "Sunny Government". Indirectly, this campaign has helped to foster participatory local governance, as the case of Chongqing has shown.

In 1999 Chongqing City passed China's first local regulation on the transparent management of poverty alleviation funds. This resulted from Chongqing Province's involvement, along with Qin Hai and Guizhou Provinces, in a program called "Poverty Eradication Program Information Open Regulation" (sic). According to this regulation, the following program related information should be made publicly accessible:
  ▸ The program proposal, particularly the budget: how much money was allocated for each beneficiary village and for each individual beneficiary; when the funds would be disbursed;
  ▸ Progress reports: financial status; list of beneficiaries; in-kind contributions; matching funds; cash-flow statements;
  ▸ The regulation also provided for wide dissemination of information at the program site, through posters, bulletins, and other means, and for the use of the mass media, like television and newspapers, government bulletins, and training opportunities to make information available more widely.

With easier access to program information, beneficiaries were able to participate in program monitoring and evaluation. This also enhanced the effectivity of the poverty alleviation program. The following table shows the improvements wrought by the program in Yuanyang County, Chongqing as a result of greater beneficiary participation.

Similar results have been noted in Qinghai, Guizhou and other places. Their success has encouraged other local governments to work towards "Sunny Government" and "Good Governance" through transparency.

	2000	2002
Corruption Cases	38	19
% Completion of Poveryt Alleviation Program	83.1	95

Meanwhile, the case of Maliu Township, Kaixian County in Chongqing has demonstrated how the local government succeeded in getting sceptical villagers to participate in a rural development project and thus provides compelling proof that participatory local governance can make all the difference between success and failure of development interventions.

Maliu's "Eight Steps" to greater village participation in development projects

Maliu is one of the poorest townships in Kaixian County, Chongqing Province. Before 1999, relations between the villagers and the township government were marred by conflicts, particularly villagers' resentment of what they regarded as onerous taxes. The villagers frequently attacked the township premises and had once set fire to its offices. In 1999 the township officials announced the construction of a bridge that would connect the village to the national highway. The villagers had long wanted such a bridge, but when the project was announced they all declared their opposition to it. They privately speculated that the officials would only try to make money out of the project.

Mystified by the villagers' reaction, the township officials determined to find out why they were so opposed to the building of the bridge. At a meeting with representatives of the village, the officials put together a multisectoral team that would take charge of the project. One representative each from the four beneficiary villages was selected to form the team, along with a local leader and a number of government officers. The four village representatives were put in charge of accounting, cashiering, storekeeping, and quality control, respectively. The government officers were given the task of coordinating and organizing the project, but were explicitly prohibited from handling project funds or meddling with purchases of construction materials.

The multisectoral team also revised the original project plan and budget, which, among others, required each villager to contribute 65 yuan to the project. The new plan reduced their contribution to just 35 yuan each. The new plan and budget were approved by 95% of the villagers. When the bridge was finished there was still

money left over and the villagers each got a refund of 9.4 yuan.

9.4 yuan is a small amount, in fact, almost nothing. But it was this paltry sum that restored the villagers' confidence in their local officials; it was this pittance that won the villagers' hearts.

After this project, Maliu's officials never had any problems proposing projects to the villagers. They simply applied the same strategy they used in the bridge project. Eventually, the Maliu township government developed a module which they called "Eight Steps Leading [to] Villagers Participation". This module describes the following steps:

Step 1: Needs Assessment – Get to know what the villagers really want.

Step 2: Multisectoral Meeting – Formulate a preliminary plan.

Step 3: Discussion of the Plan – Encourage the villagers to discuss and ask questions, and secure their support and understanding.

Step 4: Revision of the Plan Based on Villagers' Input – First set up a project management team composed of elected mem-

bers. 50% of the team must be composed of villagers. The participation of government officers should be limited to co-ordination and organizing. Funds and materials management should be done by village representatives.

Step 5: Village Referendum – Every household in the village must vote on the proposed project; only projects that receive 85% of the vote or more would be implemented.

Step 6: Project Plan Breakdown

Step 7: Project Implementation – Villagers' groups should implement the different project components.

Step 8: Regular (semi-annual) Reporting of Expenses - Financial records must be available for inspection by villagers at any time. At the end of the project, the balance of project funds must be refunded to the villagers.

The "Eight Steps Leading [to] Villagers' Participation" module is a good example of an attempt to promote participatory local governance in rural China. Its founding principle can be summed up thus: "Put government and the village in their rightful places and let them play their respective roles."

Sources

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm

Youding, Chen, "**Chinese Practice: Participatory Local Governance in Rural Development**," China Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006.

INDIA

Carrying on Gandhi's legacy

Political structure

Federal republic, with 29 states and six union territories. The Head of state is the president, indirectly elected for a five-year term by members of the central and state assemblies. The prime minister presides over a Council of Ministers chosen from elected members of parliament. The national legislature is bicameral. The Rajya Sabha (the upper house) has 245 members—233 elected by weighted votes of the elected members of parliament and the legislative assemblies of states and union territories, and 12 appointed by the president. The Lok Sabha (the lower house) has 545 members—543 elected from single-member constituencies (79 seats are reserved for scheduled castes, and 40 for scheduled tribes) and two representatives of Anglo-Indians appointed by the president. State legislatures are unicameral or bicameral, with elected members; state governors are appointed by the president.

Local government system

There are two types of local government: urban local government and rural local government. Until recently, the urban local government took the form of Municipal Corporations, Municipal Councils, Town Area Committees and Notified Area Committees. However, the Seventy-Fourth Constitution Amendment Act (74th CAA) adopted in 1992 proposed to form a uniform structure of Municipal Corporations, Municipal Councils and Nagar Panchayats (City Local Government) in transitional areas. Rural local government would operate through panchayats (local government units) at the district, town and village levels.

Traditionally, local governments served primarily as instruments of political education. In fact, prior to the 74th CAA, the Indian Constitution did not confer any independent status or powers to local government bodies.

The 74th CAA envisages enabling people to participate in development processes at ward, municipal, district and metropolitan regional levels. However, such reform is in no way self-executory. The individual States need to flesh it out in the form of Municipal Acts.

For instance, the CAA does not grant any powers directly to the municipalities but has left this matter to the discretion of the state governments. Some of these functions are highly technical in nature and are likely to render municipal bodies ineffective. The CAA contains a provision regarding the devolution of powers and responsibilities. However, the devolution of powers commensurate with such responsibilities is left to the discretion of the concerned state government.

In effect, local governments are required to provide for services irrespective of their administrative capacity to do so and have to face unexpected new terms of their own as a consequence of new sets of standards.

The reforms required by urban local bodies are multifaceted, encompassing political, social, administrative, financial and technological dimensions. The CAA provides the structure and mandate of municipal bodies to enable them to function as effective democratic institutions of local self-government. However, their constitutional status alone is not sufficient to make the municipal bodies vibrant and effective institutions of democracy. Expectations are high that the CAA will refurbish the whole system of local self-government by implanting a new structure of municipal authorities with additional devolution of functions, planning responsibilities, new system of fiscal transfers and empowerment of women and weaker sections of the society.

Local participation

Traditionally it is the responsibility of elected councilors to bring about public participation in the decision-making process. However, direct public participation is difficult to achieve due to various reasons, such as time available to the council and the large number of people living in cities and towns. In general, people contribute and participate through media such as letters in newspapers, posters and books.

The 73rd and 74th Amendments to the Constitution of India envisage self-governing units at the local level. However, experience has shown state governments to be miserly in devolving powers and resources to local bodies. Thus, democratic decentralization or democratic local governance remains an elusive ideal despite the recent constitutional changes. It was in this context that a unique experiment in extending and strengthening grassroots level democracy and empowering the local bodies was initiated in the State of Kerala.

Participatory development in Kerala

Distinctive features of the decentralization experiment in Kerala

1. Kerala decided to earmark 35 to 40% of the 9th Plan outlay of the state for projects proposed by local bodies.

2. The state government gave maximum authority to the local bodies in drawing up the development programs. This is unprecedented in India.

3. Each local body prepared a comprehensive area plan before claiming grant-in-aid. The plan outlay was not merely intended to claim grant-in-aid, but was to be integrated with different state and centrally sponsored schemes and projects that were to be implemented using the revenue surplus of local bodies or other resources that could be mobilized, such as volunteer work, donations, loans from financial institutions, contributions from beneficiaries, etc.
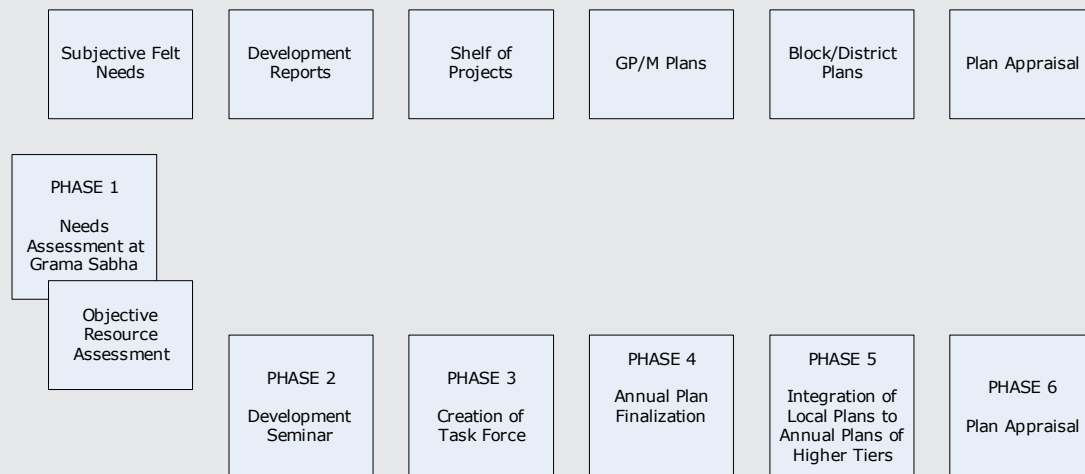
4. The state government has given strong support for administrative recognition and statutory changes in order to institutionalize the local level planning and plan implementation. The recommendations of the committee headed by S. B. Sen regarding necessary changes to existing laws and statutes, re-deployment of employees and related administrative recognition have been accepted by the government.

5. The institutional changes for successful devolution, such as training of personnel and creation of a local data base, etc., will require a few years to become fully operational. Campaigns for decentralized planning were launched to rally elected local bodies, officials, experts, volunteers and the common people, so that the impediments to local level planning could be overcome. The campaign is also expected to generate enough political will to institutionalize these new values generated by the movement. In short, the preconditions for successful decentralization were to be created in the very process of decentralization.

The People's Campaign for Decentralized Planning was formally inaugurated on August 17, 1996. The campaign was organized in a phased manner. The planning process itself consisted of six stages extending over a year followed by the plan implementation which extended to June, 1998. Figure 1 on the next page provides a graphical presentation of the sequence of various events and the objectives at different phases of the campaign.

Phase 1
Needs assessment at the Village Association

The first step in drawing up a local development plan was to identify the felt needs of the people. Local development problems were identified by the people in each locality through the Grama Sabha (translated roughly as "Village Association") in the rural areas and through Ward Associations in urban areas. The Village and Ward Associations comprise all the voters in an electoral precinct.

| Subjective Felt Needs | Development Reports | Shelf of Projects | GP/M Plans | Block/District Plans | Plan Appraisal |

PHASE 1

Needs Assessment at Grama Sabha

Objective Resource Assessment

| PHASE 2 Development Seminar | PHASE 3 Creation of Task Force | PHASE 4 Annual Plan Finalization | PHASE 5 Integration of Local Plans to Annual Plans of Higher Tiers | PHASE 6 Plan Appraisal |

Discussions in the Village Association were conducted in groups, according to development sector. In addition to such sectoral groupings, groups for SC/ST and women development were also formed. The organization of group discussions made it possible for a maximum number of people to participate in the deliberations.

Some 100,000 resource persons at the local level were trained to act as facilitators for the discussion groups. People were encouraged not to limit themselves to listing developmental problems but to search for their causes and remedies, drawing from their life experiences. Publicity for the discussions was generated through the use of print media or visual media, as well as community media.

Nearly three million people participated in these meetings. One fifth of them were women. At least one representative each from a fourth to a third of all households in Kerala must have participated in the Village Associations. The success of the Village Associations created a general awareness among the people regarding the decentralization program.

Phase 2
Conduct of development seminars
After the needs assessment, the next step was to make an objective assessment of the natural and human resources in the locality.

1. Collection of secondary data
No attempt was made to collect primary data because of the time constraint. Instead, the relevant secondary data available in the various registers and records at the local level offices of different line departments were identified and collected in a common data format drawn up for the whole state.

2. Study of the local geography and natural resources
A rapid appraisal of the natural resources was undertaken using the transect walk technique. Eco zones in each panchayat were identified by first demarcating the area into various zones on the basis of land reforms and then identifying the soil, water and vegetarian characteristics of each zone. An environmental appraisal of each zone was also attempted in many panchayats.

3. Review of ongoing schemes
Each department prepared a sectoral report on the ongoing schemes and made them available to the local bodies.

4. Survey of local history
A short local history was prepared by every local body mostly drawing from oral testimonies and local records. The use of participatory techniques such as history time line was also encouraged.

5. Consolidation of Village Association Reports
Reports of discussions in the Village Associations, including the list of problems identified, were consolidated for each development sector in a local body. The outcome of the above exercise was a 75 to 100-page development report

for each local body. Majority of the reports were of high quality. They also highlighted the importance of popular heritage and tradition in meeting contemporary development challenges at the local level. In each report, a chapter was devoted entirely to analyzing the natural and human resources of the locality. Another 12 chapters covered the various development sectors. The current charter of each sector was discussed and reviewed, including its ongoing schemes, problems, and suggested solutions. The analysis of the agriculture and education sectors proved to be the most comprehensive.

Development seminars were thereafter organized in each local body to discuss the above report. An estimated 300,000 people consisting of representatives from the Village Associations, elected representatives, local leaders of political parties, line department officials, local experts, volunteers, youth, trade union members, students, etc., participated in the development seminar. Discussions in the development seminars were also organized in small subject wise groups. The development seminar proved to be the high mark of the Campaign.

Phase 3
Creation of task forces

Around 12 task forces corresponding to the different development sectors were constituted in each local body. As many as 12,000 task forces, composed of at least 120,000 persons all in all, were trained at the village level alone.

Each task force prepared as many as a hundred thousand projects for the consideration of local bodies. The task of project preparation demanded the participation of officials and a large number of technically qualified people. The chairperson of a task force was an elected representative. An officer from the concerned line department was made its convener. A simple and transparent format was proposed for the projects to be prepared by the task forces. For uniformity, it was suggested that the project reports should have the following components:

1. Introduction;
2. Objective;
3. Beneficiaries;
4. Activities;
5. Organization;
6. Financial Analysis;
7. Achievements;
8. Monitoring.

Phase 4
Annual plan finalization

By the end of March 1997, the beginning of the financial year in the annual state budget plan, each local body received their allocation. The plan fund allocation is divided into a tribal sub-plan, a special component plan for Scheduled Castes and one for the general sector. Plan funds for each of these groups were divided between urban and rural local bodies on the basis of population. The plan allocation for each of the local bodies was separately indicated in the state budget with broad guidelines regarding sectoral allocations to be made by the local bodies.

By the time the grant-in-aid for local bodies was announced, most of them had prepared a shelf of projects corresponding to the development problems identified by the people. This set the stage for the fourth phase, where the projects prepared by the task forces were prioritized and incorporated in the plan document of the panchayat and the municipalities. The plan document comprised eight chapters, as follows:

1. Introduction;
2. Development strategy;
3. Resource mobilization;
4. Sectoral programmes;
5. Integrated development;
6. Welfare of scheduled caste and scheduled tribes;
7. Women development programs;
8. Plan monitoring.

Phase 5
Integration of local plans to annual plans of higher tiers

Block and District Governments are supposed to start preparing their annual plans only after the Village Governments had drafted theirs. This sequential planning process is supposed to ensure that the plans of the various tiers were integrated

and that the plans of the higher tiers did not duplicate, but complement those of the lower tiers. A simple method of integrating the analysis and programs of the Village Government at the block and district levels was also proposed.

Every Block Government has to prepare a printed development report incorporating the problems identified in the development reports of the Village Governments within the block area. Each District Government would also prepare a development report integrating the analysis and programs of lower tiers. The Block and District Governments were to take up projects to fill the gaps in or to complement the activities of the lower tier.

Emphasis was laid on integrating the different centrally sponsored alleviation programs being implemented through the community development blocks with the Block Government plans. There was strong resistance to this move from both the bureaucracy and elected representatives. This resistance was due to genuine problems arising from existing separate guidelines for centrally sponsored programs. As a result, there were many instances of planned activities conflicting with centrally sponsored programs as well as critical gaps between the various tiers.

Phase 6
Plan appraisal

A sample review of the projects prepared by the local bodies revealed that a significant proportion had to be modified to ensure their technical soundness and viability before they were approved for implementation. Realizing that District Planning Committees (the constitutional body for approving the plans of local self governments) did not have the technical manpower or infrastructure to undertake a proper scrutiny of the projects, a major revision in the original program of the campaign was done. A new (sixth) phase was added for the technical and financial appraisal of the projects and plans.

This appraisal was intended not to select or reject projects, but to rectify the technical and financial weaknesses of the project proposals, e.g., preparation of technical specifications and designs. The entire work had to be undertaken within

three to four months. Retired technical experts and professionals were encouraged to work as volunteers to appraise the projects and plans of local bodies. Hence, a Voluntary Technical Corps (VTC) emerged. Members of the VTC were qualified and experienced hands. Such volunteers committed to spend at least one day a week giving technical assistance to the panchayat. Special orientation courses were organized for these volunteers. More than 40,000 technical experts were enrolled in the VTC.

Expert committees were formed at other levels of local bodies, drawing from VTC members and certain categories of mandatory officers. Each expert committee had a non-official as its chairperson and an official as convenor. The expert committee functioned through subject committees with membership confined to those who have expertise in the particular field. The expert committee was also given the power of approval of technical sanctions within certain limits. They were also given a role in plan implementation, such as approval of revised estimates, settling disputes in measurement, inspection of all works and verification and approval of performance/completion, etc.

District Level Expert Committees (DLECs) consisted of senior officials and non-official experts, with a collector as chairperson. It is an advisory body to the District Planning Committee (DPC) in appraising the projects and plan documents of Block and District Governments. It also enjoys a wide range of powers in the approval of technical sanction, tenders excesses, revised estimates, disputes in measurements, etc.

Training empowerment program

The experience of the People's Campaign has underlined the vital importance of detailed preparation and training in ensuring the success of local level planning. Seven rounds of training at the state level, four rounds at the district and block level and two rounds at the municipal level had to be organized. The training/empowerment program of the people's campaign is unprecented in terms of the scale of participation as well as in the diversity of topics covered within a short period.

The number and composition of participants varied from one round to the next. The participants in the training programme can be divided into four groups:

(1) Elected members;

(2) Officials;

(3) Resource Persons;

(4) Non official experts.

Every round of training started with a discussion of the philosophy of decentralization in general and participatory planning in particular, in the context of the development crisis in Kerala. Rules and statutes were discussed in the first and subsequent rounds. Sectoral development perspectives were given special attention in the second and third rounds. Problems of SC/ST development and gender concerns were a constant theme in every round.

In general, the training program focused on self study by participants. A basic handbook was prepared at every round with the help of experts and officials. Besides, as part of the second and third rounds, 12 simple monographs on sectoral development perspectives were also prepared. A comprehensive list of all the ongoing development programs in the state that may be relevant to decentralized planning was also printed and distributed. Besides these, video presentations, lectures, clarifications, discussion sections, group discussions, presentations on rules and statutes, study presentations, experience sharing, etc., were organized as part of the training empowerment program.

Brief review of people's planning

The most remarkable feature of the people's planning was the conscious attempt to mobilize additional resources. The total grant-in-aid to the local bodies was increased. It integrated state and centrally sponsored schemes with local plans. The mass participation of the local people and their experience were reflected in the projects of the local bodies. People got the opportunity to identify their own problems and those problems were solved step-by-step.

Implementation of the plan

The utilization of plan funds and other resources in the people's planning campaign has reversed the normal sequence

for devolution. The campaign envisaged devolving the resources and powers first and then clearing the obstacles to implementation as they arose. It was expected that the mass of people mobilized in the planning campaign would generate pressure from below and thus clear the obstacles. This being the logic of the campaign, it was only inevitable that numerous problems cropped up during implementation.

The financial procedures for the flow of funds to the local bodies and their utilization were designed so that the flow of grant-in-aid funds in general and their utilization by project could be systematically monitored and thereby minimize if not eliminate the chances of funds diversion and misuse. They were also meant to ensure that the plan fund would not get accumulated in suspense accounts indefinitely. The transfer of officers to the Grama Panchayat was intended to integrate such officers into the panchayat system so that they could be made accountable to the panchayat.

A series of steps was taken to create a new environment in which a genuine beneficiary committee could effectively function. The old procedure was that technical sanctions were issued by the department officials on the basis of their delegated powers. Under the new procedures adopted for the plans of the local bodies, the technical sanctioning process was made a function of the block level and district level expert committees. After getting these technical sanctions, the public works were done by the beneficiary committees. Next, steps were taken to do away with the irregularities and unhealthy practices of the beneficiary committees.

Effective monitoring systems were implemented. Effective monitoring helped to control corruption and financial irregularities in some of the local bodies.

Democracy, Local Level Participatory Planning and the Development Process

Kerala has approached decentralization as a process of extending and deepening the system of political democracy. The extension of parliamentary democracy from central and state levels to the district and lower levels would open up possibilities for more direct participation by the masses in day-to-day governance. Such grassroots level democracy is favorable to mobilizing and defending the interests of the ex-

ploited and weaker sections of society.

The people's planning program in Kerala has been very successful. The systematic evaluation and monitoring of the processes have helped to institutionalize the campaign. Practical, not theoretical, solutions have been proposed for the issues raised. Kerala's 10-year experiement with decentralization is a landmark in the annals of Kerala's history as well as in India's history of participatory planning and good governance.

Sources

Manoj Sivarama Pillai, A Case Study of Local Governance in Kerala, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006.

Economist Intelligence Unit, Country Briefing: India.

UNESCAP, Country Reports on Local Government Systems: India, http://www.unescap.org/huset/lgstudy/country/india/india.html.

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm.

INDONESIA

Still waiting for reform

Political structure

Power has historically been concentrated in the hands of the presidency, but recent constitutional amendments are leading to a greater role for the legislature. The presidency is the highest executive office, with direct legislative powers and authority to appoint the cabinet. Legislative power is held by the People's Consultative Assembly (MPR) which consists of the 550-member House of People's Representatives (DPR) plus 128 regional representatives (DPD). Starting 2004 all political representatives, including the president, are directly elected.

Local government system

Indonesia consists of 30 Provincial Regions and 416 Local Regions, which are divided into 92 Pemerintah Kota (City Governments) and 324 Pemerintah Kabupaten (District Governments). In principle, there are no hierarchical relationships among the different levels of government. However, there are multiple forms of coordination, cooperation and partnership between them. At every level of government a People's Representative Council serves as the legislative institution.

Local government reform and related issues

Indonesia's 1945 Constitution provides for local government administration. In 1999 two laws pertaining to decentralization were passed by the government. Law No. 22 and Law No. 25 give the local government authority over all development sectors in the regions, except international affairs, defence, the judiciary, monetary and fiscal policies, and other powers which reside in the central government by law.

In particular, Law No. 22 [article 4 (2)] provides for autonomous adminstration of the Provinces, Regencies and Cities. It supposedly does away with the hierarchical relationship between the central and local government. Regencies and municipalities would become more self-governing, with little or no intervention from the central or provincial governments. Central government could intervene only where law enforcement demanded it. However, policies formulated by the local governments should not contradict existing policies at higher levels of government.

A number of challenges stand in the way of effective autonomous adminstration of local governments:

1.   Local autonomy has created high expectations of the local governments, especially in policy-making, which the latter are unable to fulfill. Local governments lack the capacity to formulate local policies.

2.   "Independence" tends to create "local egos", which make it difficult for the regions especially to work together. In the meantime, local problems call for inter-regional cooperation.

3.   The local governments' increased responsibility is not matched by corresponding fund allocations from the central government. Local governments therefore have to redouble their efforts to raise revenues to cover the cost of development.

4.   The improvement of the DPRD's (Local Parliament's) ability and performance is related to the empowerment of political parties and the professionalization of their ranks. Thus, the DPRD needs to be involved in capacity building programs.

5.   The DPRDs, together with the Heads of the Regions, need to create a democratic governance climate. In performing its duties, the DPRD needs to be responsive

to the aspirations of the community and integrate these aspirations into regulation and monitoring processes. Another action that should be taken is to continue the conduct of forums to enable and increase the voice of the public.

Local participation

The shift to decentralization is not yet reflected in practice on the ground. Many regions are not yet ready to operate autonomously from the central government, and less so to involve the public in local governance. Many development programs are still planned solely by the local government, and thus do not reflect the real needs and problems of the people. Public participation, where it exists, has largely been token or a mere formality. Lack of funds to ensure public participation is generally the reason for this.

Nevertheless, some regions have tried to involve the public in the planning and implementation of policies. One such initiative has been the public forum or consultation forum for development and public service at the local level.

Public forums are usually organized by an alliance of various non-governmental organizations and community-based organizations, and provide a forum to discuss problems and come up with solutions. Aside from proposing recommendations to local government, the forums also function as a venue for conflict resolution at the local level.

However, the effectivity of such forums is constrained by their ad hoc nature and by their lack of resources. Efforts to promote increased public participation also face resistance from both the public and the local government. It will take time, for instance, for the public to take on their new role as an active partner in local governance, having been accustomed for many years to being mere recipients of government services. The public is also largely unprepared, in terms of skills, to participate thus. On the other hand, local governments regard public participation as time-consuming and more costly.

The participation of women in local governance is still limited but has improved in recent years. There are many women involved in NGO programs for instance. However, women's involvement in lawmaking remains disproportionately low. Based on a survey of 30 cities, the percentage of women in parliament ranges from 0 to 16%, or an average of 6%. This is relatively higher than the national average of 2%. In order to improve women's role in politics, Law No. 22 of year 2003 on general elections stipulates that each political party should allocate about 30% of parliament seats for women at each level.

Sources

Indonesia Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

UNESCAP, Country Reports on Local Government Systems: Indonesia, http://www.unescap.org/huset/lgstudy/new-countrypaper/Indonesia/Indonesia.pdf

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm

NEPAL

Hold your breath

Political structure

Unitary system of governance, with the king as the head of state. The Prime Minister, along with the Council of Ministers, which he heads, comprises the executive branch. The Prime Minister and Ministers are individually and collectively responsible to the parliament directly elected by the people.

Following the peace deal negotiated between the coalition government and the Maoists, the Maoists will join the existing seven coalition parties in an interim government, which is due to be formed on December 1, 2006. It will operate under an interim constitution and answer to an interim parliament in which the rebels will have 73 out of 330 seats.

Local government system

Nepal has a two-tier system of local governance. The Village Development Committee (VDC) and the Municipality form the lower tier, while the District Development Committee (DDC) constitutes the higher tier. Municipal and Village bodies are elected directly while the representatives of the VDC and the Municipality form an ex-officio electorate for DDC elections. The VDC is the local government body for the rural areas, while the Municipality is its counterpart in the urban areas.

Local autonomy and local government reform

In 1992 three laws were passed, specifying the organizational structure, representation, and election process, and defining the tasks and functions of the local governments, i.e., the VDC, the Municipality, and the DDC. However, the new arrangements could not address all the issues raised regarding the autonomy of local governments. First and farmost, these Acts failed to make the line agencies accountable to the local bodies. The other problems/issues concerned coordination among line agencies and local bodies in planning, programming, budgeting and implementing programs; duplication of tasks and responsibilities; budgets and programs from the central government being routed to the district line agency offices rather than to the local bodies; and poor resource base and weak organizational structure of local governments.

The Local Self Governance Act (LSGA), enacted in 1999, is the most comprehensive and far reaching piece of legislation that Nepal has ever implemented with regard to decentralization and local governance (LDTA, 2002:35). The LSGA clearly states the principles and policies of local self-governance as follows:

- ▸ Devolve needed powers, responsibilities and means and resources to make local bodies capable and efficient in local self-governance;
- ▸ Build and develop local bodies capable of understanding and responding to the needs of people;
- ▸ Devolve powers to collect and mobilize resources to local bodies to fulfil their tasks and functions accountably;
- ▸ Promote accountability, transparency, people's participation and civil society;
- ▸ Promote accountability of local leadership; and
- ▸ Encourage the private sector to participate in local self-governance.

The LSGA is a unified act (as opposed to separate acts for each local body) which recognized local self-governance and devo-

lution of authority. Other main features of the LSGA are listed as follows:

- Incorporation of the principles and policies of local self-governance in the Act;
- Devolution of a wider range of functions to local government at their respective levels;
- Legally prescribed participatory bottom-up planning process at all levels;
- Provision for periodic planning in local governments;
- Provision for revenue sharing between central and local governments and among local governments themselves;
- Mandatory allocation of 20 per cent of seats at the ward level to women and provision for nomination of women and disadvantaged groups n the executive committees of VDC, municipality and DDC;
- Authority to DDC and municipality to open their own sectoral offices;
- Authority to DDC to hire professional staff;
- Creation of DIMC (Decentralization Implementation and Monitoring Committee) under the chairmanship of the Prime Minister as a mechanism of policy decision and conflict resolution. The main task of DIMC is to monitor whether the objectives, policies and provisions are followed and to ensure their implementation;
- Provision for Local Government Finance Commission (LGFC); and
- Recognition of local government associations.

Although the LSGA (1999) devolves a wide range of sectoral functions and services to the local bodies, the functioning of government departments remains unchanged. Most of the line agencies still operate at the district level, as a separate office from the local bodies. Most of the functions to be discharged by the local bodies also fall within their sectoral jurisdiction. Consequently, the line agencies plan, implement and operate in their traditional top-down and vertical manner, with little involvement of local bodies. This has affected the autonomy of the local bodies to formulate and implement local development plans.

The LSGA has made provisions for the local bodies to generate internal resources through taxes, service charges, fees and sales. However, the local bodies have not been able to generate their own sources of revenue for various reasons, such as (Kafle, 2003: 24):

- Small level of business at the local level;
- Absence of services and facilities for imposing taxes and service charges;
- Unwillingness of the local representatives to impose direct taxes;
- Organizational weakness/lack of efficient personnel on the part of local bodies; and
- Lack of interaction between the taxpayers and local bodies.

There are at least 23 sectoral Acts and Rules that are in conflict with the LSGA. This has led to confusion and overlapping of powers and functions between local governemnts and central government agencies. In most cases, the central government agencies prevail over the local bodies, thus undermining their autonomy.

Local participation

Public participation in local government has taken five forms: local elections, participatory planning, promotion of civil society organizations; representation of women and disadvantaged groups, and Village Development Programmes (VDP) based on social mobilization.

Local elections

The tenure of the last set of elected local representatives expired on July 15, 2002. Following that, local bodies were run by committees consisting of government officials. The government also formed boards of local bodies consisting of nominated people.

Participatory planning

Bottom up participatory planning is mandatory on all local bodies. Service providers, including NGOs, that work in the same areas as the local bodies coordinate with the latter in planning, resource mobilization and service delivery.

Plans are generated at the ward level, based on the felt needs of the ward inhabitants. The ward chairperson submits the ward plan to the VDC/municipality. The VDC/municipality then prepares a VDC/municipal plan and submits it to the concerned council for approval. Programs that can be managed using village and municipal resources do not need to be forwarded to the district. Programs requiring district or national support are discussed at Ilaka (cluster of VDCs and municipalities) level. In

Ilaka level discussions, programs are prioritized and those selected are forwarded to the district, where DDC sectoral committees discuss, prioritize and finalize them. Through the DDCs these programs are then submitted to the District Council for approval. Programs approved at the district level are further forwarded to the National Planning Commission (NPC) for approval and budget allocation. Once the programs submitted are approved by the NPC, the sectoral Ministries prepare their budgets (with a trimester breakdown) and submit it to the Ministry of Finance for budget allocation.

There are, however, problems at all levels. These include:

▸ VDCs and municipalities do not strictly adhere to the prescribed planning process;

▸ There is weak coordination between Line Agencies and the DDC in regard to the planning process and implementation. Often there is duplication in plans;

▸ Plans are of an adhoc nature mainly due to inadequate information and databases;

▸ In the planning process, prioritization criteria are overlooked;

▸ Local Programs and priorities are changed at the national level;

▸ Horizontal coordination is weak in all plans; and

▸ Monitoring and evaluation systems are very weak.

Representation of women and disadvantaged groups

To ensure the active participation of women in the decision-making process, the LSGA has made it mandatory to allocate 20% of elected seats to women. The LSGA also provides for the nomination of women at each local government level. This provision has benefited women as it has helped to increase their confidence and enabled them to participate in different activities and take decisions. However, the quality of their participation needs to be enhanced and their leadership skills developed.

Recently, the government has decided to allocate 5% of seats in the civil service for the Janajatis (indigenous groups), 20% for women and 10% for the Dalits ("untouchables").

Promotion of civil society organizations

Under the LSGA, local bodies are required to encourage, involve and coordinate with the non-government organizations (NGOs) while formulating planning and implementing projects. The Act envisages the active involvement, participation and cooperation of citizens through their collective bodies, such as NGOs, consumers' groups and civil society organizations (LDTA, 2002: 37). A specific provision in the LSGA requires all local bodies to give first priority to user groups in the implementation of projects. As a result, user groups have become the main institutions for implementing local level projects. By law, women make up 30% of the members of user groups. About 15,000 NGOs are currently involved in carrying out different development and advocacy activities in the country.

Village Development Programme

The Village Development Programme (VDP) was initiated in the VDCs by the United Nations Development Programme (UNDP) in partnership with DDCs under the Participatory District Development Programme/Local Governance Programme. The VDP is the subject of the following case study.

Village Development Programme

The Village Development Programme aims to empower rural Nepalis to band together to overcome their poverty. It encourages communities to group themselves into broad based and multipurpose community organizations. Through institutional, social and economic development, these groups of men and women enhance their capacities to effectively plan and manage participatory and sustainable local development programs to enable them to boost their living standards. In the process, they manage to transform themselves into self-governing institutions at the grassroots (UNDP, 2002: 50).

There are two components of social mobilization in the VDP: (1) institutional development and (2) Social and Economic development. Under institutional development, people form community organizations through which they participate in the decision making process to improve their socio-economic condition. Active participation is sought from all households without any discrimination. Under social and economic development, the community organizations are provided with mechanisms to secure the potential benefit of social change. To build up their economic capital, the group members hold weekly meetings and deposit money, as prescribed by the group, into its saving account. The community organizations upgrade their skills to run income generating and micro-enterprise activities. The community organizations also get credit facilities from the Local Development Fund (LDF) to meet their needs for establishing micro-enterprises and other income generating activities.

The program has been found to be very effective in eliciting wide participation of the community. At present, it covers 650 VDCs and 17,000 community organizations have been created. 35,000 families have also benefited from this programme. Technical and financial support is needed to replicate this program more widely.

Sources

"A hollow bid to cling to power," *The Economist*, February 9, 2006; "The ballot and the bullet," The Economist, January 26, 2006.

Nepal Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006.

"Himalayan hopes," *The Economist*, November 9, 2006.

UNESCAP, Country Reports on Local Government Systems: Nepal, http://www.unescap.org/huset/lgstudy/new-countrypaper/Nepal/Nepal.pdf

PAKISTAN

In the General's shadow

Political structure

Federal parliamentary democracy (since October 2002), although the military retains a controlling role. Effectively, a quasi-dictatorship. The prime minister heads the cabinet, but the president chairs the powerful National Security Council, which comprises military chiefs and cabinet members. The president can also dismiss the prime minister, the cabinet and parliament. The National Assembly (the lower house of parliament) was elected in October 2002 for a five-year term, but has been frequently adjourned as a result of challenges by the opposition regarding the legality of General Musharraf's changes to the political system. An election to the Senate (the upper house), where the four provinces have equal representation, was held in February 2003. Provinces are represented in the National Assembly in proportion to the size of their populations.

Local government system

Under the current system (which took effect following the enactment of Local Government Ordinance, 2001 discussed below), Pakistan has a three-tier local government structure in which there is only one line of authority in the district, and the district bureaucracy is responsible to the elected representatives. More operational autonomy is ensured to the district level offices. Administrative and financial powers of the defunct divisional offices have been, by and large, delegated to the District level. At the top tier, the District, there is a single integrated local

General Pervez Musharraf, the president and chief of army staff, continues to dominate the political scene although his position is becoming more insecure. General Musharraf, who came to power in a military coup in 1999, retains the ability to dismiss parliament and the prime minister (and thereby impose full military rule) in his capacity as chairman of the National Security Council. His firm control over the army remains his ultimate guarantor of power. The opposition is severely critical of his rule, and has been aggressively campaigning for a return to full democracy. Despite being weak, the opposition is gaining popularity. The government's support for the US-led "war on terror" has raised political tensions within Pakistan, and militant groups in Waziristan and Baluchistan will continue to try to undermine federal rule.

government called District Government. The district government consists of the Zila Nazim[1] (District Coordinator) and the District Administration. The District Administration comprises district offices including sub-offices at tehsil[2] (county) level. The

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[1] Nazim is the title in Urdu of the chief elected official of a local government in Pakistan, such as a District, Tehsil, Union Council, or Village Council. The "Chief Nazim" a.k.a District Nazim is elected by the Nazims of Union Councils, Union Councillors and by Tehsil Nazims, who themselves are elected directly by the public.

[2] A *tehsil* or county consists of a city or town that serves as its *headquarters*, possibly additional towns, and a number of villages. As an entity of local government, it exercises certain fiscal and administrative power over the villages and municipalities within its jurisdiction.

Provincial Government departments decentralized to the District Government, are responsible to the District Coordinator.

The middle tier, the City/Town, has a Municipal administrative body headed by the City/Town Coordinator. In a City District, the administrateive body is organized more or less along the same lines as its counterpart in a common District.

At the lower tier, the Union Administration, covers the rural as well as urban areas across the whole district. It is administered by the Union Coordinator, the Deputy Union Coordinator and three Union Secretaries.

Legislative framework for local government and local participation

Local government is not formally embodied in the Constitution, but exists under the supervision of various provincial governments that have merely delegated some of their functions and responsibilities through the promulgation of ordinances.

The most recent of such ordinances is the Local Government Ordinance, 2001 (LGO 2001). In October 1999, the government of President Musharraf promulgated LGO 2001 and initiated a devolution plan to transfer authority and administration from the province to the district, city/town and union levels through phased elections which were completed in August 14, 2001. General elections were held in October 2002 and a government installed. Since then, local governments have completed their four-year terms and a second phase of local elections has taken place, installing new district, city/town and union councils in the autumn of 2005.

By disallowing any amendments to the LGO in the eight years that it has been in effect, the President of Pakistan has in a sense provided a measure of stability to the new local government system. The current term of the President is expected to end in 2009, and by then, jurisdiction over the LGO will be transferred to the provinces. It is therefore critical that, in these years of transition, the system gains legitimacy with provincial governments. Already, however, changes have been incorporated into the LGO which empower provincial leaders to remove District Coordinators under certain circumstances. These changes became operational after the new local governments were installed in September 2005.

The Devolution of Power Plan introduced by the government in 2000 and 2001 is based on five fundamentals, popularly known in Pakistan as the 5 Ds:

- ▶ Devolution of political power (three-tier elected leadership having its own Vision, Mission and Goals);
- ▶ Decentralization of administrative authority (more operational autonomy to the District level departments);
- ▶ Distribution of resources to local government (power to raise taxes; fiscal transfers from higher tiers of government to lower tiers);
- ▶ De-concentration of management functions (performance based appraisal system; specialization vs. generalization; meritocracy; recognition and rewards);
- ▶ Diffusion of the power-authority nexus (monitoring by citizens and elected representatives; civil society's involvement in development work; effective checks and balances).

The new local government system attempts to ensure the empowerment of all segments of society by way of creating and institutionalizing several new mechanisms.

Citizen Community Boards

One of the most important of these is the Citizen Community Board (CCB). CCBs are voluntary, non-profit associations of local people that act as a channel for mobilizing local communities to participate in their own development activities. The main purpose of these bodies is to encourage community participation in local government to ensure that planning and development are carried out in accordance with local needs, and to provide citizens with a chance to monitor service delivery and promote transparency and accountability.

Projects may include:

- ▶ Developing, installing, managing, owning and maintaining public facilities;
- ▶ Identifying development needs and mobilizing resources;
- ▶ Helping the handicapped, destitute, widows and families in extreme poverty;
- ▶ Establishing farming, marketing and consumers' cooperatives;
- ▶ Forming stakeholder associations (e.g., parent-teacher associations) for community involvement in the im-

provement and maintenance of specific facilities; and

▸ Reinforcing the capacity of monitoring committees.

To be eligible for funding, a CCB must first prepare a project proposal. For each project proposed, CCBs contribute 20% of the total project funds. The remaining 80% is to be provided by local governments, which are required to reserve 25% of development funds for CCB projects. This allocation cannot be diverted to any other use.

Any group of at least 25 individuals can form a CCB, and it may appoint members without elections. The CCB must be registered with the Executive District Officer responsible for Community Development (EDO CD). There is no limit to the number of CCBs that can register in a single district. Local government officers are expected to provide assistance in the preparation of project proposals, and in particular in the preparation of cost estimates.

CCBs submit their project proposals to the EDO CD, the City/Town Officer (Planning), or the Union Secretary. Local government officers rank the proposals (according to published CCB Guidelines) and incorporate them into the Annual Development Plan. The projects are then submitted to the council for approval. Once approved, the local government and the CCB sign an agreement for the implementation of the project. The CCB has to submit satisfactory progress reports in order to receive subsequent funding installments. Monitoring is carried out by the CCB, council monitoring committees and local government offices dealing with CCBs. A final report must be submitted on project completion.

As with the new local government system, there have been a number of difficulties with both the concept and the operation of CCBs:

1. There is widespread lack of awareness or knowledge among the population about the concept of CCBs and how they work.

2. Some CCBs have been set up to serve special interest groups rather than the needs of the population as a whole, or to achieve real development objectives.

3. There is a lack of capacity within communities and within existing CCBs for management, conceptualization and planning of good development projects and for project implementation.

4. There is resentment among some local elected officials

that a significant proportion of the local development budget is being channeled through CCBs.

5. Systems and procedures within local government for receiving, assessing and approving CCB proposals and for disbursing funds to them are lacking. Officials do not have the necessary experience or capacity to make these systems function properly.

People power lights up Rawalpindi

The City District of Rawalpindi consists of eight towns. These towns (Potohar, Rawal, Murree, Kahuta, Kalar Syedan, Kotali Sattian, Gujar Khan and Taxila towns) are mostly underdeveloped, arid and naturally eroded, and sparsely populated. Lack of basic municipal services, especially electricity, used to be a big problem in the District, and was therefore one of the first things on the agenda of the Citizen Community Boards (CCBs) organized in the area.

Prior to the enactment of the Local Government Ordinance of 2001, rural electrification was a Federal Government concern. Elected representatives in the National Assembly and the Senate, who were responsible for allocating money for such schemes, tended to prioritize highly populated areas as these brought in more votes. Rawalpindi District, with its low population, was therefore frequently bypassed in the planning of power projects. Following devolution, the Community Development Department (CDD) at the District Level and the communities, through the CCBs, got together to undertake 208 small projects. These were for rural electrification, road and drainage construction, and water supply schemes, among others.

Of all these projects, however, those on rural electrification were the most successful. The Union Council Coordinators supported the CCB initiatives and related projects were submitted to the District Council for approval. The District Council approved the projects and the local government's share of the funding (20%) was released in time.

All in all, the Local Government has spent more than 52 million Pak Rupees on the electrification project. Meanwhile, the community beneficiaries have contributed counterpart funds amounting to 13 million Pak rupees, consisting mostly of local donations.

The community and the local government jointly monitored the project at all levels, i.e. survey, planning, implementation and execution, with both partners showing great determination and will to see the project through.

Challenges in project implementation

1. Delay in execution/completion of projects
The Technical Staff of the Local Government and Rural Development Department were overloaded, having to work on the CCB projects besides their other assignments. Thus, they could not devote as much time to the projects, causing a few delays in the release of installments.

2. Inadequate technical preparation among the CCBs
Most of the CCBs do not have any training in developing proposals and reporting. Thus, they found the documentation requirements very demanding.

In other cases, some CCB members would submit development projects which require lots of technical and professional inputs. However, the same CCB members could not come up with the required technical and professional resources/capacities to assist in the execution of these "mega" projects. Moreover, many in the the CCB office could not comply with the provisions of Rough Cost Estimates and eventually change the scope of work during the implementation period. As a result, submitted schemes are revised which also added to the delays in completion of the projects within the stipulated period.

Recommendations

1. Pre-approval evaluation of CCB projects
In order to ensure proper execution of the schemes, a system of pre-approval evaluation/need assessment of identified/proposed projects costing more than 30 million Pak rupees should be set up.

*2. Awareness creation/capacity building*
While implementing the CCB programme it has been observed that due attention towards the creation of awareness among the masses has not been prioritized. As a result, the desired results have not been attained. Similarly, no steps have been taken for capacity building of office bearers of CCBs who have to execute the projects and utilize the public money. Due to lack of such skills and capacity, a number of CCBs could not follow the procedural requirements of the projects, such as records/accounts keeping. It is proposed that local governments may be allowed to utilize 3% of the budget allocated for the CCB project for holding Seminars/Workshops and developing printed materials for this purpose.

Sources
Economist Intelligence Unit, Country Briefing: Pakistan

Muhammad Tanvir Akhtar, "A case study of Citizen Community Boards (CCBs) Projects in Collaboration with Local Government City District Government Rawalpindi, Punjab Province, Pakistan," Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

PHILIPPINES
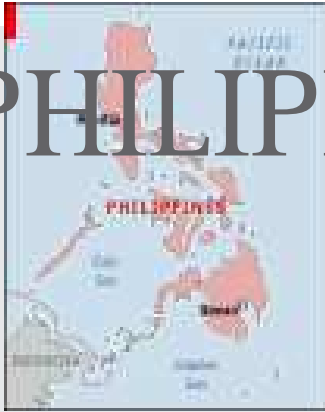
Reform in the land of People Power

Political structure

National government consists of the executive branch headed by the President, the legislative branch and the judicial branch. The executive consists of cabinet secretaries, the national bureaucracy and the military. The legislative branch or Congress comprises a 24-member Senate and a 220-member House of Representatives. The judiciary consists of a Supreme Court, the Court of Appeals, Regional Trial Courts and special courts (juvenile, family or sharing courts). The political sub-divisions of the state are provinces, cities, municipalities and villages.

Local government system

The categories of local authorities in the Philippines are as follows:

▸ 1 Metropolitan Government;
▸ 1 Autonomous Regional Government;
▸ 1 Special Administrative Region;
▸ 79 Provinces;
▸ 115 Cities;
▸ 1,420 Municipalities; and
▸ 43,000 *Barangays.*

Specific income categories and population size govern the classification of local governments from one type to another. The legal basis for such requirements is provided for in the *Local Government Code.*

All levels of local government exercise the following general functions and powers:

▸ Efficient service delivery;
▸ Management of the environment;
▸ Economic development; and
▸ Poverty alleviation.

The various provisions of the *Local Government Code* on provinces, cities, municipalities and *barangays*, all cite these functions. Enabling legislation from local councils may be initiated where necessary.

The *Local Government Code* or *Republic Act 7160*, contains the following four local government laws, defining the functions and powers of local governments:

▸ Section 468 Functions and powers of provinces (Provincial Law)
▸ Section 447 Functions and powers of municipalities (Municipal Law)
▸ Section 458 Functions and powers of cities (City Law)
▸ Section 398 Functions and powers of *barangays* (*Barangay* Law)

The functions and powers of the Metropolitan Manila Development Authority is defined in *Republic Act 7924*, that of the Autonomous Region of Muslim Mindanao (ARMM) in *RA 6649* and *RA 6766*, and that of Cordillera Administration Region (CAR) in *RA 6766*.

All these sections have been standardized so that the respective functions and powers are similar. For example, provincial, city, municipal and *barangay* councils shall all enact ordinances and approve resolutions, appropriate funds, and pursue Section 16 (General Welfare Clause) of the *Local Government Code.*

Moreover, provinces, cities, municipalities and *barangays* shall:

1. Approve ordinances and pass resolutions necessary for the efficient and effective local government administration;

2. Generate and optimize the use of resources and revenues for the development plans, program objectives and priorities of the specific level of local government provided under Section 18 (Power to Generate and Apply Resources of the *Local Government Code*);

3. Subject to the provisions of Book II of the *Local Government Code* grant franchises, approve the issuances of permits or licenses or enact ordinances, and levy taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants;

4. Approve ordinances which shall ensure the efficient and effective delivery of basic services and facilities; and

5. Exercise such other powers and perform such other functions as may be prescribed by law or ordinance.

Local autonomy

Philippine local governments are fully autonomous, with the central government exercising only general supervision. However, this general supervision is only applicable at the provincial- and highly urbanized city-levels. Lower class local governments, such as component cities, municipalities and *barangays* are being supervised both by the provinces and highly urbanized cities (HUCs). HUCs are independent from provinces and under direct supervision of the president and supervise *barangays* in their respective jurisdictions.

Territorial jurisdictions among local governments are usually defined by law. Functional jurisdiction is provided for in the *Local Government Code,* but the Constitution encourages inter-local cooperation, beneficial to all concerned, and can readily alter traditional function sharing to cover local authorities beyond traditional political jurisdictions. Philippine local authorities are empowered to provide services and assistance to other local authorities, which are outside their political boundaries. This means that two or more local governments can pull their resources in projects and activities that are mutually beneficial. The traditional notion that each local government takes care of themselves is thus passé.

Local authorities by tradition follow the national framework of development. However, this policy does not prevent local authorities from establishing their own development priorities.

Local governments perform the practice of development administration autonomously. Only in cases where development efforts affect national security and other environmental consideration, will higher levels of government review the local government's priorities.

Local government ordinances and resolutions are usually not reviewed by higher levels of government except when it concerns incurring debts or in floating local government bonds, requiring sovereign guarantee or the allocation of central government subsidies. Financial control is also partly exercised by the Commission on Audit and the Department of Budget and Management (DBM), as well as the Department of Finance (DOF) in the allocation of central subsidies to local authorities.

The most comprehensive official document that governs local government operations is the *Local Government Code.* This law defines how a local government can be created, and how it can be abolished, merged or upgraded to a higher category of city, municipality or province. Only an Act of Congress can dissolve cities, municipalities and provinces and any decision thereof will finally be decided by residents of local government concerns in a plebiscite or referendum. However, *barangays* can be abolished or created much more easily but are still subject to a *barangay* plebiscite just like any proposed abolition for cities, provinces or municipalities. Ordinances of cities and provinces create *barangays* and not an Act of Congress or Parliament.

Relationship between the central government and local governments

Following the enactment of the *Local Government Code* in 1991, intergovernmental relations tilted more towards local autonomy and decentralization. Most departments of the national government are now primarily responsible for policy formulation and standards setting, in addition to implementing national sectoral or departmental programs in consultation with local governments. The codal provision applicable in this regard is Section 17 of the *Local Government Code.*

The power of general supervision by the President over local governments, as provided for in the Constitution, is now limited

and extend only to provincial governors and mayors of HUCs. General supervision over lower level officials is entrusted to the provincial governor and to some extent to the local legislative councils. The national government has no control over local governments except for the power of general supervision. The national government cannot abolish a local government. The legislature can pass a law abolishing a local government but only after the law is approved by the people through a referendum. Political jurisdictions are governed with full administrative autonomy.

Local participation

The extent of public participation in local governance is a barometer of how democratic local governance is in the Philippines. Public-private partnerships at the local level are very much alive and well.

The Constitution and the *Local Government Code* have provisions on the concept of the three Ps (Public Private Partnership). The 1987 Constitution has a separate provision on the roles and rights of People's Organization (POs) in public affairs and in local governance. It states that the State shall respect the role of independent POs to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means.

POs are bona fide associations of citizens with demonstrated capacity to promote the public interest, and with identifiable leadership, membership and structure. The right of people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making shall not be abridged, as provided for in the Constitution of 1987. The state shall, by law, facilitate the establishment of adequate consultation mechanisms. Likewise, the *Local Government Code* has provisions (in Sections 324, 35 and 36 of Chapter IV) entitled Relations with People and Non-Governmental Organizations, which states:

> Local government units shall promote the establishment and operation of POs and NGOs to become active partners in the pursuit of local autonomy (Section 34). Local government units may enter into joint ventures and such other cooperative arrangements with POs and NGOs to engage in the delivery of certain basic services, capability-building and livelihood projects and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrializa-

tion, promote ecological balance and enhance the economic and social well-being of the people (Section 35).

> A local government unit may, through its local chief executive and with the concurrence of the sanggunian concerned, provide assistance, financial or otherwise to such POs and NGOs for economic, socially-oriented, environmental or cultural projects to be implemented within its territorial jurisdiction (Section 36).

Civil society is represented in various local development councils. Several administrative orders of the central government, implementing the constitutional provision and the *Local Government Code* regarding public participation, require that all local councils at all levels should be represented by various NGOs and POs such as farmer cooperatives and fishermen's associations. Several sectors of society like youth, women, farmers and other special groups have voices in the process of public decision-making. A mandatory provision insofar as membership of POs and NGOs is concerned is that these groups should represent 25% of the total membership of the councils.

Local legislative councils do not execute local laws (such as ordinances with finality) unless public hearings are conducted first. The idea of consulting people before local legislative bodies adopt any taxes operationalizes the concept of representation by constituencies.

NGOs and POs are very active in local development activities and work very closely with local authorities in attaining mutual community interests. Up until 2003, some 16,000 NGOs and POs have undergone a process of accreditation that determines the types and classes of NGOs. This process also includes the determination of the issues and ideas NGOs advocate for, such as environmental protection, legal issues and rights to development, including lobbying efforts to protect/promote specific sectoral interests. It is noteworthy to mention that local governments and NGO/PO cooperation is increasing.

Tribes governing themselves

The Philippine Government duly recognizes the legitimacy of tribal governance. The Indigenous Peoples (IPs)' right to ancestral domain and self-governance as a whole are enshrined in the Indigenous Peoples Rights Act (IPRA) and the tribal governance provision of the Local Government Code. But while there are enough legal bases for the IPs' self-governance, its operationalization and mainstreaming in the country's political system has always been hampered by various factors. Among these factors is the predominance of mainstream governance systems which undermines indigenous ones. Also, very few non-indigenous people are aware that there exists a system of governance among the IPs, which has, since time immemorial, effectively and efficiently governed the indigenous communities. This system of governance has been structured in a way that complements the workings of their justice system as well as their observance of customary laws.

Tribal governance: concepts and perspectives

Tribal Governance in its broadest sense is the manner by which a tribe—through its *datu* or *timuay labi*, *bong fulong* or *gukom*, *bae, baylan, magsud*, and supporting tribal organs of authority—enforces its customary laws and manages its affairs.

The starting point of tribal governance is the belief in a Supreme Being that created all, and belief in the spirits that guide elements of heaven and earth. Nature is sacred because *Manama*, *Magbabaya* made it and assigned spirits to preside over the various elements of nature for its efficient functioning. Everything has its proper place in the natural order, and the universal law (what the *Langilan-Manobo* and others refer to as *Gantangan Palabian)* ensures that this is so.

People, as stewards of the earth, are duty-bound to respect, protect, and preserve what the Supreme Being created. Thus, not a single person can possibly own what only God could create. What is permissible, from the point of view of the IPs of Mindanao, is communal or shared management and administration of land and the resources above and below it; in a word, it is the historical, common and continuous occupation, use, protection, and preservation of territory or domain on which depends not only a tribe's existence, but also its cultural identity and continuity as a people and as a nation.

Because the world was made for all, the tribes have equal access to and right over territory that they can manage competently. To demarcate their domains, the indigenous tribes have natural landmarks such as rocks, mountains, rivers, and streams, and burial grounds. This avoids overlapping of territorial jurisdiction and allows for peaceful co-existence and non-interference between and among tribes; if for nothing else, this delineation of domains makes effective territorial defense possible.

It is on territorial integrity that the tribes' concepts and perspectives on governance rest; it is likewise territorial integrity that defines the shape and character of the structures, systems, mechanisms, processes, and standards and guidelines in
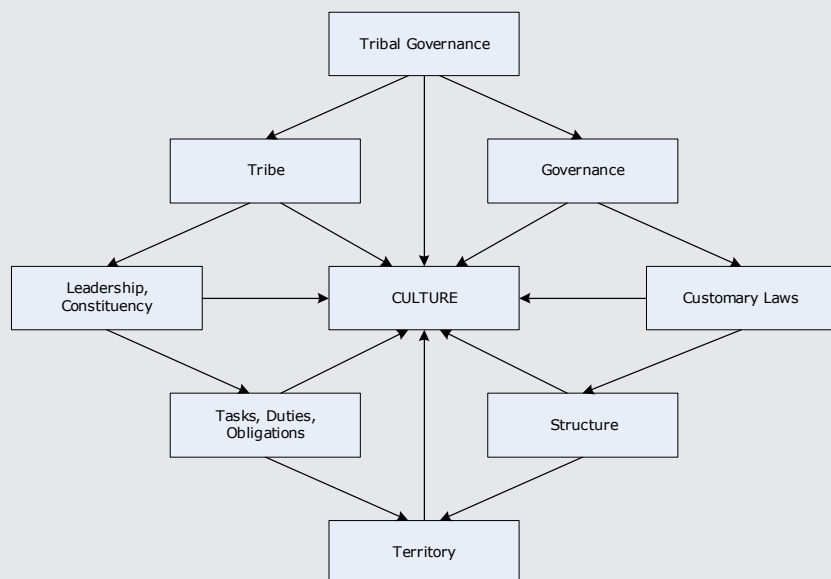
the enforcement and implementation of customary laws and tribal decisions. These structures and systems are defined according to the respective competencies, duties, and responsibilities of the members of the tribe. Thus, there are the tribal leaders, councils of elders, advisers, arbiters and mediators, healers and seers, tribal teachers, those in charge of the various aspects of economic and social life, and those who take care of peace and order and territorial defense.

Tribal governance also reflects the indigenous peoples' belief in the attributes of the *Manama*, *Magbabaya* and in the natural harmony and balance of the universe. As *Manama*, *Magbabaya* is just and not at all iron-fisted or dictatorial, so is the tribal leader. This is the reason for the existence of a council of elders and advisers whom the tribal leader consults on matters of justice, defense, and other serious concerns. The tribal leader also tries to emulate the benevolence, benignity, and magnanimity of *Magbabaya*by by making himself accessible to his constituents for consultations, by being a good provider of the tribe, and by being compassionate even to those not of the tribe.

As the universe is governed by the principle of balance of relative opposites, so must relations between men and women in the tribe. Leadership of the tribe may by custom and tradition lie with the men, but it is the women who make that leadership possible.

The Women of the Talaandig in Governance[1]
The role of women in tribal governance is a little understood aspect of indigenous life. Because this has received scant attention, most people outside the tribe believe that tribal women are a disadvantaged group, particularly in terms of rights, power, and participation in governance. But based on the history and culture of the Talaandig, the power and right of women in relation to governance are equal to those of men. This is manifested in the concept of the *Gantangan* and *Timbangan* as the basis of Talaandig customary law.

This does not mean that the men and women have identical responsibilities. Rather, the underlying principle is balance, the complementary character of the relationship between man

[1] Based on a presentation by Bai Nanapnay Liza S. Saway during the conference in April 2004.

and woman and of all relative opposites (light/darkness, life/death/, young/old, cold/heat, etc.). A true understanding of the role of women in governance is important, because on this rests the success or failure of the tribe in its striving for justice and equitability.

But on what lies the power of women with regard to governance?

Competence as mothers and teachers. The stability of a society springs from the capability and power of women to mold the minds and hearts of the youth, either toward the good or the bad. Ultimately, the kind of male or female leaders that tribal society will have depends on how well or how badly women, as mothers and teachers, guide children.

Capability as healers/birth attendants/midwives. In the Talaandig tribe, most healers/birth attendants are women. Because the lives of children (and indeed the continuity of the tribe) are in their hands, everyone accords women healers/birth attendants and their decisions the utmost respect. Even the best of the tribe's warriors would not dare go against the orders of a healer/birth attendant because this would invite a curse or some other retribution. In times of inter-tribal war, the healer/birth attendant need not flee. Whoever kills the *mananabang* becomes the enemy of the whole tribe.

Mediation/Arbitration/Conflict Resolution. Among the Talaandig, women settle differences that men cannot resolve.

Defense. In the history of the tribe, the women are the last line of defense and the saviors of the men during war. In times past, because of TALABUSAW, the patron *abyan* and spirit of tribal warriors, a woman routed a group of enemies *nga mibanhig sa tribo*. This is told in the *ulaging* (song-history), the exploits of women as warriors and saviors of the entire NALANDANGAN, the famous home of *Apo Agyo*.

Food. The women control all matters pertaining to the supply and allocation of food in the tribe. In times of gatherings, they take charge; the men are limited to seeing to the fields.

Rights– Based Tribal Governance

Tribal governance is rights-based, too. Thus, no member of the tribe, or anyone outside it, may suffer indignity or punishment without due process and appropriate recompense. More fundamentally, tribal governance for the IPs of Mindanao means:

The *right to self-governance*. That notwithstanding the presence and dominance of mainstream government and its various organs and instruments of rule and other interest groups, the tribes are independent governments in, by, and for themselves;

The tribes' *right to self-determination*. The tribes believe that they should be free from outside interference and compulsion and free to chart their political and economic future. As one datu puts it, "The Arumanons ask that they be left alone to govern themselves and their territory, and that no one—whether government, non-government organizations (NGOs) and other agencies—interfere in their affairs;" and,

The tribes' *right to self-sufficiency*. The tribes assert that they have the power and capability to provide for themselves economically, independence of mainstream government or any other external entities or groups.

Status, issues, and concerns

In their continuing efforts to assert themselves as a people, the indigenous tribes of Mindanao, over the years, have had to contend with internal and external challenges and threats to their political, economic and socio-cultural stability. The following is based on their accounts.

Asserting the customary law and justice system: The Talaandig experience

The Talaandig recall an incident in mid-1995, when they confiscated 15 bags of botanical specimens which had been collected by the Philippine National Museum and the Botanical Research Institute of Texas without the informed consent of the Talaandig community. The collectors of the botanical specimens from the Philippine National Museum were eventually asked to pay eight carabaos, eight meters of red, white and black cloth, 26 chickens and One Hudred Fifty Pesos in coins (P150.00) to settle violations against the Talaandig.

The Talaandig maintain that what was involved was not only theft (of forest specimens) and community harassment.

TRIBAL GOVERNANCE ISSUES	
External to the Tribe	Internal to the Tribe
I. Political A. Law/policy/leadership ‣Government policies (Local Government Code of 1991) that doesn't recognize IP rights ‣Existence of various forms, levels and structures of governance that continue to overlap traditional structure of indigenous communities ‣Non-recognition of indigenous structure of the IPs B. Military ‣Presence of armed groups and encounters between rebel groups and the military within ancestral domains of IPs ‣Recruitment of IPs as members of paramilitary groups	I. Political A. Leadership Non-recognition of authority and leadership of traditional leaders B. Military Division within tribes due to recruitment to armed forces (CAFGU, CVO, NPA), and actual armed encounters within the ancestral domain C. Culture ‣Cultural assimilation and non-practice of culture and tradition ‣Western political orientation ‣Non-recognition of the authority of genuine traditional leaders
II. Economic ‣Entry of big business within the ancestral domain of IPs ‣Non-recognition of both political and traditional boundaries of IPs ‣Entry of development projects of the government, church and NGOs to the detriment of the tribes ‣Land conversion (IPs vs. Christian settlers) Development aggression	Economic ‣Depletion of the natural resources within the territory ‣Massive poverty
III. Culture ‣Influence of western ideologies ‣Entry of different religious groups that further divides the tribes ‣Presence of educational institutions and schools within the ancestral domain	

The more serious offense was utter disregard for the right, authority, power, and dignity of the tribe. For the Talaandig, a person who shows no respect for others does not deserve to be regarded as a person.

Another case of violation of the customary law is the unauthorized entry into a Talaandig community of operatives of the National Bureau of Investigation on allegations that a criminal was hiding in the area. The NBI operatives fired their guns and started to search the houses. The Talaandig women responded by surrounding the NBI operatives and demanding that they prove their allegations. They asserted that these operatives violated the customary rights of the community. The case was brought to the attention of the Office of the Presidential Adviser on the Peace Process (OPPAP); it has yet to be resolved to this day.

Action points to institutionalize tribal governance

1. Political
   ‣ Putting into practice indigenous/tribal governance;
   ‣ Strengthening the traditional structure and defining their respective genealogies;
   ‣ Awareness raising among other IPs regarding the IPRA;
   ‣ Holding a peace forum;
   ‣ Dialogue with the military;
   ‣ Coordinating, dialogue and negotiation with the leaders of rebel groups;

2. Economic
   ‣ Opposition to the entry of big plantations into ancestral domains;
   ‣ Enforcement of the principle of Free, Prior and Informed Consent (FPIC) among those who want to enter the tribes' territory;
   ‣ Protection of environment and natural resources;
   ‣ Self-reliance and resourcefulness in implementing community-based initiatives in place of dependence on outside assistance;

3. Culture
   ‣ Setting up "indigenous schools of living traditions" to be run by the IP communities;

‣ Documentation of customary laws, culture/tradition and governance practices of the tribes.
‣ Strengthening and putting into practice the indigenous culture and governance of the tribes, especially by the traditional leaders/datus who are lead claimants of their ancestral domain.

Areas for improvement

The indigenous peoples of Mindanao realize that the issues and concerns that they face are not only many, but complex as well. To address these issues and concerns, they know they have to start somewhere, and they agree that the best place to begin is within and between their respective tribes.

The following is an outline of the area action plans that the IPs have drawn up.[2]

1. The *strengthening of indigenous spirituality.* To achieve this, the tribes agree to set up a tribal hall within every tribe. The hall is where tribal leaders could meet for conferences and other important gatherings. The tribes also propose to identify a central *panubaran* in Davao. Additionally, they intend to organize tribal cultural festivals in a bid not only to revive waning tribal identity, but to secure inter-tribal bonding as well.

2. The *teaching and inculcation of indigenous traditions, customs, conventions, practices, and mores on tribal youth.* For this, the tribes believe that it would be best to set up what they call *"Schools of Living Tradition"* to be handled by tribal community educators. They also agree to have the councils of elders take charge of the establishment of a center for indigenous education. The center will cater to all the indigenous tribes of Mindanao. The councils of elders would likewise be responsible for the development of both indigenous curriculum and the training of community experts. Each tribe expects to file a resolution with the DepEd for the integration of a curriculum on the indigenous culture, tradition, and language.

[2] The plans are based on the clustering of the IP delegates during the area consultations and conference.

3. The *strengthening of the enforcement of customary laws, justice system, and conflict resolution mechanisms and the upgrading of indigenous territorial defense and protection of the environment.* This is an ongoing activity of each tribe and is anchored on organizing tribal leaders, women, children, elders, and tribal *bagani*.

a) *Capacity building for economic self-sufficiency.* Essentially, this involves the continuing application of indigenous knowledge systems in agriculture and other economic spheres.

b) The *conceptualization and subsequent creation of the tribal barangay* (as provided for under the Local Government Code of 1991) in every municipality, city, and province within the CADT territories. The tribes expect to work on this via a census of the different indigenous groups and eventually through the lodging of resolutions and petitions with the appropriate government agencies.

c) The *strengthening and consolidation of tribal leadership, conflict resolution among tribal leaders, and cultural preservation.* For these objectives, the tribes agree to hold regular dialogues and consultations between and among tribal leaders to: one, clarify the roles, functions, and accountability of these leaders, and two, identify the genuine datu, bae, bagani, and cultural guards of the tribes. The different tribes also agree to preserve their respective cultural legacies through the establishment of schools of living traditions, tribal halls, and leadership formation cen-

ters.

d) The *strengthening of relationships and alliances with the other tribes in Mindanao.* This cluster of tribes has identified at least three broad activities to achieve this objective. One is the *sayuda* involving information dissemination and updating. The other is the *pangunga*, or visitations and cultural exchange between and among the various councils of elders. The tribes plan to hold the sayuda and the pangunga during festivals or during the holding of special tribal rituals. Additionally, the tribes also agree to the conduct of regular meetings between councils of elders for the settlement of inter-tribal conflicts or issues.

e) The *mobilization of their respective tribes for the setting up of mechanisms* to facilitate the education of tribal communities on territories and boundaries.

f) *The conceptualization and development of "cultural guards"* and awareness building and orientation for the military and government agencies on the duties and responsibilities of these cultural guards.

g) *The drafting of policies and agreements* on tribal concepts of peace and justice within ancestral domains and the dissemination of the same among IP communities.

h) *The holding of consultations among tribal leaders* on the mechanisms and processes of enforcing free and prior informed consent (FPIC) in their respective territories.

Sources

Baban, Remma R., "Tribal Governance: The Mindanao Experience," Case Study on Participatory Local Governance, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

UNESCAP, Country Reports on Local Government Systems: Philippines, http://www.unescap.org/huset/lgstudy/new-countrypaper/Philippines/Philippines.pdf

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm

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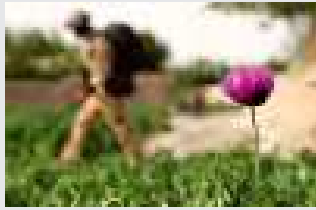
Seeking change in the midst of war

Political structure

Executive presidency based on the French model. The president is the head of state, with executive powers. Elected for a period of six years by universal adult suffrage, the president may dissolve parliament 12 months after the last legislative election, The national legislature is unicameral; the 225 members are directly elected for six years by a system of modified proportional representation.

Local government system and local government reform

Under the 13th amendment to the constitution, passed in November 1987, extensive powers have been devolved to nine directly elected provincial councils with a view to meeting Tamil demands for greater autonomy; elections were held in seven provinces in July 2004, and delivered significant gains to the ruling United People's Freedom Alliance (UPFA); polls in two provinces have yet to be scheduled, owing to the ethnic conflict.

Local participation

The preamble to the Village Councils Act states that: *"legislation is enacted with a view to providing greater opportunities for the people to participate effectively in the decision making process relating to administrative and development activities at a local level"*. Although there is provision in the local authority laws to appoint committees and facilitate peoples' participation, this provision has not been used meaningfully in the past.

There has been a general lack of interest by government officials to get involved with the private sector, mainly due to the fear of being found faulty in transactions. However, this is gradually being offset with programs being conducted by the Institute of Local Governance, highlighting that so long as the process is transparent, public-private partnerships should be encouraged to provide better service to the public.

Local Authorities are faced with increased demands for improved services, infrastructure challenges, fiscal constraints and scarce resources. A few municipalities are responding to this challenge by exploring and implementing alternative methods of service delivery.

Participatory budgeting

In promoting a need-based development, a bottom up strategy has recently been promoted by the Colombo Municipal Council (CMC). The outcome of this was the introduction of a Participatory Budgetary System. In previous years, officials prepared budgets based on the estimates made by the departmental heads on needs which they themselves had identified. However, the needs are now being identified in partnership with the Community Based Organizations (CBOs).

A working committee has been formed, known as the "core group", consisting of CMC officials and NGO representatives. At present, only two NGOs which have been selected based on their past experience in working with the community are represented in this core group.

In addition to obtaining their inputs for budget preparation, the CBOs are also involved in community contracting. CBOs are trained by the CMC to perform this task more professionally.

Women's participation

Sri Lanka, which produced the world's first female Prime Minister, has achieved positive results in connection with women's public participation. This has been a gradual process initiated since independence in 1948. However, since the Rio Summit, specific goals have been accomplished in the areas of developing women entrepreneurs, and capacity building in decision-making, especially through the establishment of a Ministry for Women's Affairs, Women's Bureau, rural credit and savings schemes, women's organizations and community leadership in the areas of reproductive health, gender sensitization and training.

The Women's Bureau implements a number of programmes and projects to improve the economic status of women by providing skills and assisting in self-employment schemes. The creation of the *Women Entrepreneurs Programme* has been promoted as the means to economic empowerment, decision making and also to form women's organizations. This has been implemented as a part of the Integrated Rural Development programs of all Districts. NGOs such as Sarvodaya have played a leading role in this program.

There have been a number of programs and projects implemented under the National Plan of Action for Women 1995. These include counselling services for women victims of violence, integration of women's needs and contribution to the development process, amendment to the Lanka Development Ordinance to ensure equal land rights to women.

There is as yet no separate provision for the participation of women and the disabled in local government . However, there is strong lobby to include a higher percentage of women as candidates in future elections.

Youth participation

There is a legal provision, which requires the contesting parties to include 40% youth representation aged between 18 and 35 when forwarding candidates for the elections. This includes young women and men.

NGO participation

Most NGOs in Sri Lanka have yet to understand the concept and the interlinkages between different subject areas and issues within sustainable development. Probably for the first time, various sectors led by NGOs are showing interest in understanding the concepts of sustainable development and are attempting to contribute in numerous ways. The Ministry of Social Services, the Divisional Secretariat, the Central Environmental Authority, etc., have registered thousands of NGOs but most of these are inactive. There is also an NGO Secretariat. According to them there are over 10,000 NGOs operating in the country.

Sources

"Politics of Sri Lanka", Wikipedia, http://en.wikipedia.org/wiki/Politics_of_Sri_Lanka

Sri Lanka Country Paper, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006

UNESCAP, Country Reports on Local Government Systems: Sri Lanka, http://www.unescap.org/huset/lgstudy/new-countrypaper/srilanka/srilanka.pdf

UNESCAP, Local Government in Asia and the Pacific: A comparative analysis of fifteen countries, http://www.unescap.org/huset/lgstudy/comparison1.htm

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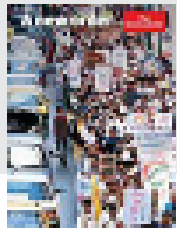
Reform still waiting in the wings

Political structure

Constitutional monarchy, with the king (Bhumibol Adulyadej) as head of state. Under an interim constitution that came into effect on October 1, 2006, the military council, known as the Council for National Security (CNS), appoints the prime minister, who is then free to form a Council of Ministers (the cabinet). Under the interim constitution, a 250-member National Assembly will act as the national legislature. Assembly members are appointed by the king and are drawn from all regions of the country. The CNS has pledged to hold a general election in October 2007 after a new permanent constitution has been promulgated.

Local government system

Local government in Thailand is organized in six different forms, equally distributed among urban and rural areas. Urban-based forms of local government include:

- ▸ The Bangkok Metropolitan Administration (BMA), a strong-executive form of local government specific to Bangkok;
- ▸ The Municipality, governing urban centres in the provinces; and
- ▸ The City of Pattaya, a local government form of a city-manager specific to Pattaya.

Rural-based forms of local government include:

- ▸ The Provincial Administrative Organization (PAO) constituting local government at the provincial level;
- ▸ The *Tambon* Administrative Organization (TAO) constituting local government at the subdistrict level; and
- ▸ The *Sukhapiban* or Sanitary Committee, a local government in a rural centre, often referred to as a sanitary district.

Each of these forms of local government operates independently of the others. However, all are subject to a considerable degree of control by the central government through the Department of Local Administration, the Ministry of the Interior.

Local participation

Direct participation in local government has been minimal. This may be attributed to two major factors. First, most legislation does not provide for a legal means by which the people may directly participate in the affairs of local government. In situations of conflict between the citizens and the local government, the first often take the issue to the streets in the spirit of petition and protest. The conflict is reported in the media, but a solution is not always found. Such action only initiates a negotiation process. In case of conflicts between the local governments and the central government, there is no legal framework to settle these either. Therefore, all disputes between local governments and central government departments, or among local governments, are resolved at the level of the central government, which usually relies on the judgment of the Department of Local Administration. This is a result of the centralization of governance in the public administration system. Local governments often resort to collective pressure through representation in associations of local governments, for example the Association of Kamnans, or the League of Municipalities.

Under the 1997 Constitution, however, more leeway is provided for people's participation in the affairs of the state. For example, the Constitution provides for a court of governance (Articles 276-280) where conflicts between citizens and the state and their officials are settled. A Parliamentary Ombudsman will be

established to receive complaints and petitions. An independent anti-corruption commission will also be created by Parliament to conduct investigations. These institutions and legal frameworks are believed to provide adequate channels and means for the people to participate in the affairs of the state. It is also believed that the political reform underway will bring about many fundamental changes in the relationship between the state and society.

Second, the general public by and large has little knowledge about local government. This is not surprising. Local government is hardly taught in secondary school or in higher levels. Except for those studying political science, most graduates from Thai universities are inadequately informed about the structure and the functioning of the local government. They are aware of the existence of the various forms of local government and of the right to vote in local government elections. Otherwise, little is known about the functioning, the problems and the general affairs of local government. The media coverage generally reports more about politics and the affairs of the central government.

Coping together in the wake of the tsunami

The tsunami created by an earthquake in the Indian Ocean on December 26, 2004 was the worst natural disaster in Thailand's history. The Tsunami affected six provinces along the Andaman Coast of Thailand, leaving more than 8,000 dead, a third of them foreigners. It impacted 418 coastal villages, destroying or badly damaging at least 3,676 houses. Besides causing so much death and destruction, the tsunami tore open and exposed many deep, preexisting problems of poverty, social exclusion, land tenure uncertainty, commercial over-exploitation and government indifference to indigenous groups.

The thing about large-scale calamities like earthquakes, floods and storms is that the institutions, policies and ways of thinking which already exist in most countries are almost never able to cope with them effectively. The scale is just too big, the disaster too sudden, the needs too urgent. Existing systems designed to deal with neatly compartmentalized issues are quickly overwhelmed by the complex needs after a disaster. An organized relief and rehabilitation process cannot be implemented by one group or one agency. What such huge calamities require is for groups in many areas and with many different kinds of expertise to link together in different ways, to pool resources, information and ideas.

This kind of common platform does not exist in most areas, and so when calamities do occur, relief and rehabilitation efforts are often plagued by lack of coordination between groups, competition for funds or recognition, mistrust, terri-toriality, conflicting agendas and disaster aid philosophies. But when people's groups, NGOs, aid agencies and government departments do link together, through some kind of collaborative mechanism or on a common platform, it can stabilize an otherwise volatile aid situation, and allow the separate efforts of different groups to add up to a more unified, comprehensive and effective aid effort, so nobody misses out. The tsunami has shown that in places where networks and working bonds between groups already existed, or were created and strengthened during the course of the relief process, a more collaborative approach and a culture of working together has helped moderate the effects of the onslaught of aid, so that ultimately, most of the aid resources reached those who really needed it.

The day after the tsunami, CODI[1] organized a meeting with some NGOs, civic groups and community networks in southern Thailand to see how they could work jointly to assist the tsunami victims in the six provinces. They agreed to establish the networks to use every aspect of the relief process to organize and strengthen these damaged communities. The following describes the people-driven relief and rehabilitation process employed at the time.

[1] The *Community Organizations Development Institute (CODI)* is a Thai government agency, an independent public organization, under the Ministry of Social Development and Human Security, formed in 2000 through the merging of The Urban Community Development Office (UCDO) and The Rural Development Fund.

Surveying the damage area. In some places, community networks did the survey. In others, CODI linked up with local NGOs and government agencies to gather information and to begin building a common database on affected communities: their family information, their dead and missing members, the condition of their houses and boats, their employment situation, their lost documents. Within a few days, some preliminary figures had been gathered, and over the past months, this information has continuously been added to and refined.

Providing relief assistance. In the form of tents, clothes, medicines, food, water, coffins, and rallying help in the search for the dead.

Providing relief camp. The most urgent need was temporary housing to bring back together people scattered by the tsunami, so they could organize themselves, discuss, set priorities and begin developing a collective vision of their future. Camps were soon set up by aid organizations and government departments up and down the Andaman coast. In Phang-Nga, the worst affected province, this network helped set up five camps. The largest and the first to open was the camp at Bang Muang.

Building temporary housing. Within a week, the longer-term work of setting up temporary housing in relief camps and working with people to revive their lives and battered villages had begun.
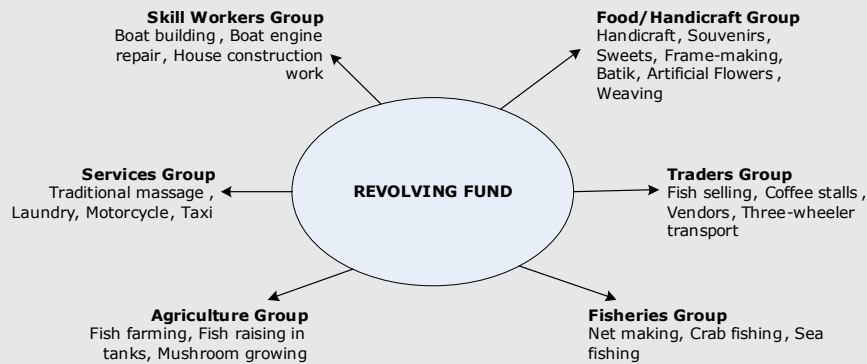
Setting up the committee.s After setting up the camp, some kind of mechanism to manage it had to be established. Committees were set up to manage cooking, camp hygiene, water supply, medical care, visitors, children's activities, lost people, registration of newcomers and temporary house construction. Camp-wide meetings were held every evening to discuss practical aspects of camp management, to make announcements and to give the committees a chance to report on the day's work. Everyone knew what was happening and all decisions were made in public every evening, with everyone's agreement.

Promoting income generation activities. Besides providing emergency relief, setting up income generation activities to help them regain their self-sufficiency became a top priority. A number of government agencies, NGOs and relief organizations helped to set up various kinds of income generation projects in the camp. The camp's community committee decided early on to link all these efforts and organize them under a single revolving livelihood fund, which would support these various occupation groups with loans, financial and accounting assistance, skill training, and market help. Saving groups were also established within all the various occupation groups, as a strategy for getting people back into the mode of managing their finances, as a group.

Designing the permanent houses. CODI mobilized architects, planners, design students, professors and architectural associations from around Thailand to help communities develop plans for rebuilding their houses and settlements. Like all aspects of rehabilitation, a little sensitive intervention made the process of planning and rebuilding houses

Temporary Shelter
Bang Muang Center

Skill Workers Group
Boat building, Boat engine repair, House construction work

Food/Handicraft Group
Handicraft, Souvenirs, Sweets, Frame-making, Batik, Artificial Flowers, Weaving

Services Group
Traditional massage, Laundry, Motorcycle, Taxi

REVOLVING FUND

Traders Group
Fish selling, Coffee stalls, Vendors, Three-wheeler transport

Agriculture Group
Fish farming, Fish raising in tanks, Mushroom growing

Fisheries Group
Net making, Crab fishing, Sea fishing

and settlements another opportunity to strengthen and re-build these traumatized communities.

Building a more secure future. It also became clear that re-habilitation had to encompass many aspects of people's lives. In villages wiped out by the tsunami, people lost everything: their families, houses, boats, livelihoods, support networks, social system and ways of life. Providing housing wasn't enough. To rebuild lives that were shattered by this crisis called for a more comprehensive rehabilitation program which includes and integrates other crucial aspects of people's survival, such as support for income generation, ecological revitalization, rebuilding of social networks and reviving of traditional cultures destroyed by the tsunami.

Lessons learned from implementation

1. Link support groups to create a more unified support and relief operation with a common direction.
It is important to link support groups, NGOs, aid agencies, community networks and relief agencies together as soon as possible, so that all these groups can combine their diverse expertise, develop a common objective and work together to conduct a more effective, well-coordinated relief and rehabilitation effort, in which each group does what it does best.

2. Information gathering is an important initial intervention and an important tool for informing all subsequent activities. Information gathering has to be done quickly so the affected people, support groups and government agencies can develop a common understanding about the scale of the problem and the needs of the affected communities.

Before the needs of the affected communities can be addressed, it is essential that an information gathering process be launched. The affected communities, civic groups and relief agencies should begin gathering information as soon as possible, and update it regularly. Different kinds of information are needed at different stages of the relief process. At the beginning, rough information about numbers of affected communities, families, boats, deaths and people's immediate needs is required very quickly to plan for emergency assistance and for temporary accommodation. Then, once people are in the camps, more detailed information about the affected people's families, children, former housing, land tenure status, documents and livelihoods will be required, to plan for the rehabilitation process. If this information gathering can be an active process, which involves the participation of the affected communities themselves, then it also becomes a powerful tool to begin organizing people. The information helps the affected people and support groups to understand the scale of the calamity in concrete ways, both in quality and quantity, and helps them figure out what to do. In these ways, information gathering becomes a tool both to organize people, and to design effective interventions to address people's needs. The more that affected people are involved the better.

3. It is essential to set up relief camps with temporary housing immediately, to bring the survivors from each affected community back together so that they can get shelter and access to emergency relief. At the same time, these camps can function as places where the longer-term rehabilitation of their lives and livelihoods can be discussed and supported in a more organized way.

Where the tsunami has scattered people and devastated their dwellings, the village or community they once occupied loses its meaning as an organizational unit. Temporary accommodation (in tents or temporary houses) in camps, *as near as possible to the former settlements*, is therefore essential to

Temporary Shelter

housing. Similarly, other relief activities should also be implemented with a view to building community systems of collective work and collective organization as much as possible.

5. It is important that people-driven pilot rehabilitation projects be started urgently, to get the ball rolling and to lead the rehabilitation process by demonstrating concrete examples of how reconstruction can work.

It is very important to show good, concrete examples of how to reconstruct these ravaged communities through the active involvement of affected communities, with support from local organizations and relevant government agencies, *as soon as possible.* One of the best ways to do this is to undertake pilot community reconstruction projects in which the people and the local authorities work together to develop permanent housing with good collaboration. This is an effective way to lead the rehabilitation process in the right direction to energize all the other communities that are still in the planning process. But the rehabilitation of these pilot communities should involve much more than the physical environment and housing, and should include a more comprehensive or holistic rehabilitation of people's lives, social support structures, livelihood and income sources.

6. Dealing with post-crisis trauma. The best therapy is helping affected people to get busy and to focus on their future through activities which have to do with managing their immediate needs and rebuilding their lives.

Large numbers of people experienced serious trauma and shock from the violent and seemingly arbitrary catastrophe of the tsunami. Many have lost family members, witnessed horrific scenes and watched the entire fabric of their lives swept away. Some are unable to cope afterwards. There have been efforts made in different ways to console and to help these people rebuild their spiritual and mental strength, through religious faith or clinical trauma therapy. However,

start bringing back together the affected victims. This is the function of temporary housing. Initially, these camps provide traumatized people a safe place to stay, where there is food, medical care, clothes, access to government assistance - and, most importantly - friends to talk to. Once people's immediate needs are met, and they feel more secure in the camps, the temporary housing becomes the place where organizing can begin, little by little. Hence, the revival of these communities can begin begin already, on a temporary basis, at these camps.

4. Once they are back together in temporary camps, the affected communities can start a process of interaction and organization in which they work together to set up a system in which they can represent each other, as an organization. The temporary camps can help facilitate this.

It is important that the affected people can start presenting their needs - *as a group* - as soon as possible. There is a great need for an affected community's own voice to negotiate and propose on what they really need and want in the process of rehabilitation and rebuilding their communities and livelihoods. People have to take control of their lives again, and managing their lives and activities in the camps together is a good place to start. The organization and activities can start right away, and the systems people set up to manage their lives in the temporary camps can later be put to use in the process of planning and reconstructing their permanent

one of the important ideas that came out of the meeting was that the best way to deal with this trauma is to help people get busy. The best therapy to get people's minds off the tragic events they've witnessed is to find a way for communities to look forward, to focus their energies on the actual situation they are now in, and to get them immediately and actively involved in vital activities such as temporary housing construction, camp management, cooking, getting children to school, surveying, and planning their future lives and communities. There are also many psychological and moral benefits that come from working together as a group. Collective relief activities of all sorts can become a kind of *group therapy*. The horizontal support systems that already exist in these communities have also been badly hit by the crisis, but they too need to be revived. It is clear that if people are left alone and isolated, they feel worse, and these horizontal links - from neighbors and fellow community members - can really help people cope.

7. It is important to link the affected communities together, to share ideas, learn from each other's experiences, to support each other, to address problems they have in common, and to negotiate collectively with government agencies for what they need.

As long as they remain in isolation, these poor communities will remain vulnerable to the powerful economic and administrative forces that keep threatening their settlements and livelihoods. Therefore, it is important to create opportunities for communities to link together horizontally, through a variety of common activities and through the process of rehabilitation. Since the rehabilitation process will have to be implemented in all the affected communities simultaneously, there are innumerable opportunities for these communities to make links, share ideas, learn from each others' experience, tackle common issues and work together.

8. Collaboration with government. The work that people are doing around issues of their own community revival and reconstruction should not be done in isolation, but every attempt should be made to link this work with what the government is trying to do. It is important to bridge these two streams of post tsunami rehabilitation efforts.

It is very important for affected communities, support organizations and NGOs to keep established links - or to make new links - with the government, to take part in whatever forums or committees the government sets up, and to keep trying to tactfully relate what people are doing on the ground with government policies and plans. Because the tsunami crisis is so big, governments may be unable to deal effectively with the scale of need. And in their efforts to do so, governments may also set policies and launch programs which cannot reach all the affected communities or which conflict with their needs. In this regard, it is up to the people's groups and their supporters to create space for the government to understand what people are doing, and to find proactive ways to link people's initiatives with government processes.

9. The rehabilitation process should include all the affected people and communities, as much as possible, regardless of their status before the tsunami.

In many coastal areas affected by the tsunami, efforts are already being made to prevent families or entire communities without formal tenure status from returning to the land they had occupied before the tsunami. In all of the affected countries, these coastlines are dotted with poor fishing communities and indigenous settlements whose land tenure status is unclear. Many of these communities are considered squatters on public land, even though they have occupied their land for decades - or centuries - and there will likely be more and more efforts to deny these people the right to rehabilitation. This is especially a danger given the skyrocketing market values of much of the coastal property they inhabit and political pressure to grab that land being exerted by powerful forces in the tourism and commercial sectors. It is therefore imperative that the rehabilitation process cover *ALL* the affected communities so that the rehabilitation process after the tsunami will be a way to help correct past injustices or administrative inefficiencies and to provide equality and a new legitimacy to everyone. The same considerations should be applied to all minorities and migrant worker groups.

10. The only way to address the huge scale reconstruction is by tapping the huge scale and active involvement of the affected people themselves, with support from local and civic groups.

Only if room can be made for people to be key actors in their own rehabilitation process can it be possible to respond to the scale of crisis needs that are clearly too big and too complicated for governments to handle. The tsunami crisis can boost the people's sector as an active development partner. This turned out to be the most effective and efficient way of handling the huge scale of need, by directly tapping the energy of the affected people themselves, and their powerful drive to rebuild their lives. But if the reconstruction assistance has to pass through the government bureaucracy, it tends to get stuck at bottlenecks, and large scale needs cannot be met. There is a need for many new, innovative strategies for how the affected people (who already have the large scale and clear needs to improve their conditions) to be involved in the rehabilitation process, as much as possible. There are many ways to create space for people to be active partners in the process, from surveying, to organizing relief assistance, to managing the camps, to constructing temporary and permanent housing, to setting up of new livelihood opportunities.

Sources

Economist Intelligence Unit, Country Briefing: Thailand.

Jantana Benchasub, "People-Centered Tsunami Relief and Rehabilitation in Thailand," Case Study on Participatory Local Governance, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006.

UNESCAP, Country Reports on Local Government Systems: Thailand, http://www.unescap.org/huset/lgstudy/new-countrypaper/thailand/thai.html

VIETNAM

Waking up to reform

Political structure

The Socialist Republic of Vietnam is a single-party state. A new state constitution was approved in April 1992, replacing the 1975 version. The central role of the Communist Party was re-asserted in all organs of government, politics and society. Only political organizations affiliated or endorsed by the Communist Party are permitted to contest elections. These include the Vietnamese Fatherland Front, workers and trade unionist parties. Although the state remains officially committed to socialism as its defining creed, the ideology's importance has substantially diminished since the 1990s. The President of Vietnam is the titular head of state and the nominal commander in chief of the military of Vietnam, chairing the Council on National Defense and Security. The Prime Minister of Vietnam is the head of government, presiding over a council of ministers composed of three deputy prime ministers and the heads of 26 ministries and commissions.

The National Assembly of Vietnam is the unicameral legislature of the government, composed of 498 members. It is superior to both the executive and judicial branches. All members of the council of ministers are derived from the National Assembly. The Supreme People's Court of Vietnam, which is the highest court of appeal in the nation is also answerable to the National Assembly. Beneath the Supreme People's Court stand the provincial municipal courts and the local courts. Military courts are also a powerful branch of the judiciary with special jurisdiction in matters of national security. All organs of Vietnam's government are largely controlled by the Communist Party. Most government appointees are members of the party. The General Secretary of the Communist Party is perhaps one of the most im-

portant political leaders in the nation, controlling the party's national organization, state appointments and setting policy.

Local government system

Vietnam is subdivided into 64 provinces, which are further subdivided into districts and municipalities. Vietnamese provinces are in theory controlled by a People's Council, elected by the residents. The People's Council appoints a People's Committee, which acts as the executive arm of the provincial government. This arrangement is a somewhat simplified version of the situation in Vietnam's national government. Provincial governments are expected to be subordinate to the central government.

Decentralized governance and related issues

Vietnam has been declared by the WorldBank (2005) as one of the most decentralized countries in Asia, with almost half of its public expenditures being managed at the sub-national level.

One of the most important pieces of legislation that has brought this about is *the Grassroots Democracy Decree (GRDD, which was* issued in 1998 and amended in 2003. This decree lays down the necessary conditions to make decision-making more inclusive and responsive to local needs. It declares that people have a right to be informed of government activities that have an impact on their lives, to discuss and contribute to the formulation of certain policies, to participate in local development activities, and to supervise the performance of local governments.

Decentralized local planning

One of the areas in which decentralization is being actively promoted is development planning. Dispatch 2215, signed by

the Minister of Planning and Investment (MPI) and Government's Directive 33 signed by Prime Minister (2004) are official documents that call for the adoption of a bottom-up planning approach.

However, the decentralization process in Vietnam, despite the considerable range of responsibilities being rapidly devolved to local governments, has not been accompanied by a thorough-going process of local capacity building, especially in planning. There is a range of shortcomings and constraints that characterize the current planning processes and practices at local levels:

1. Both strategic and annual plans have been developed by the "traditional" method which is very top-down and centralized in all sectors at all levels. There appears to be little in the way of systematic input from citizens – or indeed from lower levels of the local government system (communes have little say in the district planning process, districts have little say in the provincial planning process). Lower-level plans often depend much on the targets set by the upper levels regardless of whether these are realistic or not. This is contrary to the principle of subsidiary, which ensures that decisions are as appropriate as possible to local needs. There are rarely any regular mechanisms in place for ensuring a "bottom-up" approach to planning, and no tools are available to facilitate this. Public participation in planning and budgeting is insufficient, especially at the grassroots level. There are also "mindset" issues here – few officials are accustomed to anything other than a top-down approach to planning and budgeting, although everybody insists that the people do need to be consulted.

2. Local planning is not based on sufficient or adequate reliable information. The data used in planning is often inaccurate and of limited value, and is frequently used indiscriminately. Information and data for local planning is derived mainly from information collected by the communes, which is unreliable as they are normally "guessed" rather than "estimated".

3. Local governments do not have clearly defined and distinct planning mandates. There is much confusion as to who is responsible for what, and little in the way of a distinction between functional responsibilities at different levels. In most (if not all) cases, local stakeholders tend to see planning and budgeting as the "business" of the Department of Planning and

Investment (DPI) and Department of Finance (DoF) or other government authorities, but not "your and my" business.

4. There is little in the way of planning coordination between local governments. Each department at each level tends to plan/budget in isolation from the others – which often results in inconsistent and un-coordinated activities. The same situation is observed between local governments at different levels. Notionally, the Department of Planning and Investment (DPI), the Department of Finance (DoF) and – ultimately – the Provincial People's Committee are expected to ensure that there is some degree of coordination between sectors – but none of these bodies is especially well placed to do this. The division of responsibilities between DPIs and DoFs, moreover, is not always conducive to coherence. It is rare that mass organisations, representing groups such as women or farmers, are directly involved in sector planning exercises that concern them; and even rarer that less formal groups (e.g., road users or parents' associations) are consulted about plans and budgets. In short, planning and budgeting are relatively closed affairs and are not conducted in ways that ensure the formal involvement of relevant stakeholders; nor do they foster consistency and coherence.

5. Few if any local officers have undergone the appropriate training to carry out their tasks. Neither are they equipped with a set of guidelines or a toolkit to undertake "bottom-up" planning. There are no tools available that facilitate the involvement of the poorer or more marginalized groups in the planning process – and no special efforts appear to be made to ensure their participation.

As a result, planning is still very formulistic and thus often ineffective. It is regarded as a one-off exercise rather than an on-going process. Both strategic and annual plans do not reflect the local needs, causing ineffectiveness in resources use. In order to ensure the effectiveness of decentralized expenditures, it is of crucial importance to have a clear and concise plan (both action and budget plans) at the local level. This requires reforms in the planning approach as well as capacity-building in planning.

Many NGOs have adopted participatory planning methods in their development projects. For those NGO-led-projects, they have secured a high level of local participation in different stages of the project cycle from identification of problems to problem

solving and monitoring progress of implementation, and have generated a high level of local ownership of the plan. Such an approach, however, is very time consuming and often requires strong facilitation skills to motivate active participation of voiceless groups.

Several NGOs have tried to mainstream their development effort into local Socio-Economic Development Planning (SEDP) and to advocate for the replication of the methods that they have used. However, not many NGOs have been successful due to low incentives or limited capacity of local governments.

District Development Boards and Territorial Based Rural Development: A tentative start to decentralized rural development in Vietnam

The Territorial Based Rural Development (TBRD) approach is a relatively new way of addressing development problems in rural areas. This approach allows local players to define a development policy based on the territory's particular circumstances, assets (strengths), constraints (weaknesses), needs and opportunities.

The TBRD approach is intended for small rural areas which form a homogeneous unit in physical (geographical), economic and social terms. The areas selected must have sufficient human, financial and economic resources to support a viable development strategy.

In the context of Vietnam's development efforts, the TBRD approach was adopted to accomplish the following objectives, among others:

▸ To achieve a more territorially balanced comprehensive/integrated growth pattern in the country, giving rural areas the opportunities to work towards rural poverty reduction and their own development;

▸ To facilitate the implementation of democratization and empowerment at grassroots level in rural areas;

▸ To help to adapt and implement national sectoral policies at district and commune levels. (TBRD has endeavoured to close the gap between "clerical" processing of applications and "in the field" situation by putting programme administrators in direct contact with the "field", by seeking to shorten decision-making cycles and by providing customized support and guidance for projects, notably by setting up local teams of practitioners to coordinate the work locally.)

Concretely, the TBRD approach consists of the following components:

1. Skills acquisition
This step precedes the development or rural innovation programs in areas where the practice of local development is new. This includes analysis of the local area, motivating and training local people to participate actively in the development process, drawing up a strategy, and funds sourcing.

2. Support for integrated territorial rural development strategies of a pilot nature based on the bottom-up approach and horizontal partnerships.

Support will be given to rural areas which show a willingness and ability to devise and implement an integrated and sustainable pilot development strategy, supported by the presentation of a development plan, based on a representative partnership and structured around a strong theme typical of the identity and/or resources and/or specific know-how of the territory concerned.

The priority themes are:
▸ technical support for rural development;
▸ vocational training;
▸ improving the efficiency and technology in agricultural production;
▸ support for rural tourism;
▸ support for small businesses;
▸ local exploitation and marketing of agricultural, forestry and fisheries products;
▸ preservation and improvement of the environment and living conditions;

- the use of new know-how and new technologies to make the products and services of rural areas more competitive;
- improving the quality of life in rural areas;
- adding value to local products, in particular by facilitating access to markets for small production units via collective actions;
- making the best use of natural and cultural resources, including enhancing the value of sites of community interest.

Piloting TBRD

For several years a team of INSA-ETEA[1] has been carrying out a project of cooperation for development in Vietnam, in collaboration with PACCOM and co-financed by AECI[2]. The activities carried out under this project are covered by a seven year plan the main objective of which is to contribute to improving living conditions in rural areas in Vietnam.

In a visit to Thai Nguyen Province in 2000, INSA-ETEA reached an agreement with the Provincial People's Committee and the Department of Foreign Affairs (responsible for INGOs' activities in the province) to implement a TBRD pilot project in Thai Nguyen Province, specifically in Pho Yen District.

Pho Yen district which lies in the South of Thai Nguyen province is a mountainous district with a total land area of 25,667 hectares. It is divided into three main regions (Region 1, 2 and 3 which are equivalent to lowlands, semi-highlands and highlands).

The district has favorable natural conditions, notably fertile soil which is suitable for the cultivation of high economic value trees (e.g., Tea) and traditional trees (e.g., Mulberry, bamboo).

[1] University Institution for research training and action in development and cooperation
[2] Spanish Agency for International Cooperation

The per capita income per annum is VND 2,500,000 (USD 170). 45% of the households is poor, earning less than VND 200,000 per month.

Agriculture accounts for 80% of employment in the district. Other services, namely handicraft production, provide only a small fraction of available jobs.

The project covered three areas simultaneously:
- Institutional strengthening through training and exchange of experience with representatives of public institutions;
- Training in general in matters of rural development and management of agricultural co-operatives, in collaboration with technical institutions;
- Technological innovation in different fields, such as drip irrigation of tea on sloping land, handicrafts etc.

Although the project's aims were clearly established, not all the groups and people involved were familiar with these, especially the concept of TBRD itself. This was due to the following reasons:
- The document describing the project was not publicly disseminated;
- The project is explained, implemented and financed on a yearly basis (The long-term picture has not been presented.);
- There is a turnover of people involved in the project.

Hence, this situation could have resulted in a lower level of motivation than desired; inefficiency in the execution of the project; and in certain cases, lack of commitment.

The project had anticipated these problems, and tried to forestall them by conducting a number of training workshops at provincial, district and communal levels to disseminate information on the pilot project, the implementation mechanism, the TBRD approach, etc. Furthermore, INSA-ETEA and local partners paid great attention to setting up and maintaining a long-term mechanism, which encouraged and ensured full and active participation of various stakeholders to

project processes as well as other issues related to community development. One such mechanism was the District Development Board (DDB).

The DDB is a non-profit organization which is composed of capable and motivated members acting as representatives of people from different areas in the district. The Pho Yen DDB is staffed with 20 members, coming from local authorities, mass organizations (Women's Union, Farmers' Association, Youth Union, Veterans' Union, etc) and the private sector (enterprises, cooperatives, etc).

The Pho Yen DDB was responsible for:
- Working out a rural strategic development plan for Pho Yen;
- Implementing the development plan;
- Selecting suitable projects proposed by different actors in Pho Yen;
- Mobilizing financial resources to implement the development plan and projects;
- Monitoring and evaluating project implementation;
- Sharing project lessons.

In order to facilitate the DDB's activities, particularly in regard to technical issues, a technical group was set up. This group consisted of experts, staff members of technical divisions of the district and a contingent of teachers and professors from TUEBA.

Since its establishment two years ago, the model of DDB in Pho Yen has proved to be efficient and effective. Voices and interests of various stakeholders were raised in discussions and decision-making processes. Different groups of people, particularly beneficiaries of the project, were made aware of problems in their area and contributed their ideas, recommendations, and proposed solutions. This facilitated the implementation of the project and brought about other advantages, as follows:
- Increased level of participation by the beneficiaries. Beneficiary cooperatives or individual persons were given charge of the implementation of activities, with some technical assistance from district experts

or private technical services companies. (Usually, the DPC would be in charge of project implementation.);
- Timely release of funding;
- High level of coordination among project partners/ counterparts.

However, a number of difficulties and challenges in project implementation were also noted. These hindered the contributions from stakeholders, especially the beneficiaries:
- Lack of experience at grassroots level;
- Lack of appropriate institutional slots so that bottom-up processes can efficiently flourish and be integrated in a coordinated way within top-down policies that are also necessary in the planning of development;
- Lack of training and appropriate experience in technical management among the groups of participants;
- Insufficient level of awareness of the project's objectives and global approach;
- Lack of speedy and flexible procedures and the necessary experience in certain innovative aspects when implementing the different activities contemplated by the project;
- Insufficient degree of participation in the execution of the activities by the beneficiaries of the same;
- Quite a lot of the aspects concerned with the implementation of the different activities were only discovered by the INSA-ETEA team by chance or during evaluation, by which time it was too late to take corrective steps;
- Quite often deadlines were not met, and this was only discovered during sporadic visits by the INSA-ETEA team to the province. Once again, this malfunctioning is not because of lack of goodwill on the part of anyone, but can be blamed on the execution mechanism adopted. The DPC are too busy with important matters that affect the districts to pay the necessary attention to small scale activities;
- Due to the geographical characteristics of Pho Yen (three different regions), the model of one DDB for the whole district prove to be insufficient and inef-

ficient. One DDB cannot cover and balance all concerns and interests when developing a strategic development blueprint as well as concrete projects for the district.

Based on the problems and challenges that arose in the implementation of the projects, the following recommendations have been proposed so as to promote participation of various partners and groups of people in the processes of discussion, policy and decision-making:

- It is necessary to strengthen the working of the DDB. The DDB must be representative, and in order for it to be so, it must become known among the different groups of participants and the population in general by way of meetings, courses etc.
- The groups of participants should be represented in the DDB by the persons they have elected, and they should be aware of the fact that they can propose individual or collective activities to the DDB for them to study and finance if they can, within the approach for territorial development and the strategic plan for the same.
- A set of statutes is required that regulates the working of the DDB.
- Widespread diffusion of the document covering the formulation of the project on a long-term basis should be ensured.
- A seminar to publicize the project, especially among the DDB, groups of main participants in the districts, and the public in general, must be conducted.
- A temporary team of experts (to promote the innovation aspect of the project) from outside the DDB must be maintained to support both the DDB and the beneficiaries in the execution of the activities, until such time as the DDB can put together its own team of experts.
- Beneficiaries must be encouraged to consult with specialized service companies in the execution of the activities, contributing in this way to the creation of service companies and the diversification of the rural economy.
- Communications between the INSA-ETEA representative, the DDB and the technical group must be promoted and increased.
- Two more DDBs must be set up in Pho Yen so that each DDB can take into consideration the concerns and interests of individual regions.

Sources

Case Study on Participatory Local Governance in Vietnam, Presented at the ANGOC TCTP on *Promoting Participatory Local Governance for Rural Development* SEAMEO Innotech, Quezon City, Philippines, 27 August-15 September 2006.

Dao Thi Bich Duong, Local Planning Reform in Vietnam, August 2006, Oxfam-GB in Vietnam.

"Vietnam," Wikipedia, http://en.wikipedia.org/wiki/Vietnam

NETWORK UPDATES

ANGOC leaders in Cagayan de Oro

Archbishop Antonio J. Ledesma, S.J., D.D., was named Fourth Metropolitan Archbishop of Cagayan de Oro in canonical installation rites held on May 30, 2006. Archbishop Ledesma is a former chairperson of ANGOC and currently sits in the ANGOC Board as an Individual Member.

Meanwhile, Roel R. Ravanera, former ANGOC executive director and Individual Member of the ANGOC Board, is now Dean of the College of Agriculture in Xavier University, Cagayan de Oro City. He took up this post on June 1, 2006.

Ekta Parishad launches civil disobedience campaign

Ekta Parishad, a Gandhian mass-based organization, is organizing "Janadesh 2007: The People's Verdict", a non-violent campaign in India in which people engage in non-violent civil disobedience at the local, national and international levels. The theme of Janadesh 2007 is "retrieving people's dignity through land and livelihood". Specifically, Janadesh 2007 demands the incorporation of land reform in the national agenda; the setting up of a National Land Authority; the distribution of land to land title holders; and a stop to the displacement of indigenous peoples from the forests; among others.

Mr. P.V. Rajagopal, president of Ekta Parishad and vice chair of the Gandhi Peace Foundation (GPF) has asked for the support of the ANGOC Regional Network for the non-violent walk from Gwalior to Delhi, which is part of the Janadesh campaign.

ANGOC Network members can help in the following ways:

- Draw the atention of the Indian Government to the issues raised by Janadesh 2007 and request it to initiate dialogue in this regard;
- Get the media to highlight the problems of the poor in India and thus promote awareness among governments and the public of the problems in India;
- Link this Janadesh activity with similar activities in their respective networs by sharing information about it with as many groups as possible;
- Write a solidarity letter to Ekta Parishad and send a copy of it to the Indian Prime Minister;
- Donate to this cause in cash or in kind; and
- Join the solidarity march in October 2007.

For more information, please visit *www.ektaparishad.org* or email them at *ektaparishad@yahoo.com* or *info@ektaparishad.org.*

Our Condolences

ANGOC mourns the loss of three of our friends: Mr. Cyril Ekanayake, vice president of SARVODAYA Shramadana Movement and former ANGOC Board member; Mr. Rabindra Verma, chair of the Gandhi Peace Foundation (GPF); and Mr. Bishan Singh, former executive president of MINSOC and former ANGOC Board member.

Our deepest condolences to their families, friends and colleagues.

The Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) is a regional association of 21 national and regional networks of non-government organizations (NGOs) from 11 Asian countries actively engaged in food security, agrarian reform, sustainable agriculture and rural development activities. Its member-networks have an effective reach of some 3,000 NGOs throughout the region. ANGOC was founded in Bangkok in February 1979, following a two-year series of village and national level consultatins in 10 Asian countries, leading to the World Conference on Agrarian Reform and Rural Development (WCARRD), Rome, 1979.

The complexity of Asian realities and the diversity of NGOs highlight the need for a development leadership to service the poor of Asia--providing a forum for the articulation of their needs and aspirations as well as the expression of Asian values and perspectives. ANGOC seeks to address the key issues related to food sovereignty, agrarian reform, sustainable agriculture, participatory governance and rural development in the region.