

**AN INVESTIGATION INTO THE CONFLICTS EMANATING FROM THE
UP-SCALING OF MINIMUM EDUCATIONAL REQUIREMENT FOR
POLITICAL LEADERS ON THE MANAGEMENT OF LUSAKA CITY
COUNCIL**

BY

COMPUTER NUMBER #714804972

BWALYA ELISABETH FUNGA

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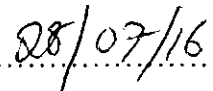
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**A RESEARCH REPORT SUBMITTED TO THE UNIVERSITY OF
ZAMBUIA AND ZIMBABWE OPEN UNIVERSITY IN PARTIAL
FULFILLMENT OF THE REQUIREMENT S FOR THE AWARD OF
MASTERS OF SCIENCE DEGREE IN CONFLICT LEADERSHIP AND
PEACE**

DECLARATION

I Bwalya Elisabeth Funga , do hereby declare that I am the author of this dissertation and this work is my own. All works of other persons that have been used in this research have been acknowledged. Furthermore, I declare that this work to the best of my knowledge supervised by Mr A.H.L.Moonga has not been produced at the University of Zambia or any other institution for a similar purpose.

Author's Signature..........Date.....

Bwalya Elisabeth Funga

Supervisor's Signature.....Date.....

Mr A.H.L Moonga

DEDICATION

I dedicate this research to my parents Michael and Beatrice Funga for being my role models May your soul rest in peace . My daughter Lushomo Ruth Bwalya Tembwe.

RESEARCH SUMMARY

This study was aimed at carrying out a systematic and formal inquiry of the conflict emanating from the introduction of the grade twelve-certificate qualification or its equivalent for all political leaders on the management of Lusaka City Council. The amended Zambian constitution requires that all leaders should have a grade twelve certificate or its equivalent for one to vie for a political office i.e. Councillor, Mayor or Member of Parliament. Political leaders are responsible for governing the masses at different levels. It became of interest to assess the type of conflict that emanates from the minimum qualification of a grade 12 certificates, or its equivalent whether this qualification has as an effect on decision-making. Members of the public and politics received this with mixed feelings. Some would be candidates have even produced fake documents. It is for this reason that the research topic became of interest

Since 1964 Zambian constitution required that one had to be a Zambian and twenty one years and above to vie for any political position. When the Patriotic front came into leadership in 2011 they promised to implement the constitution review that leaders at civic level should have a minimum of grade 12 certificates or equivalent. However in 2016, the constitutional review amended this clause and up-scaled the minimum academic qualification required for political leader from no education requirement to a minimum of a grade twelve (12) certificate qualification or its equivalent.

Since the amendment of the constitution, the conflict emanating from the minimum educational requirements for political leaders on the management of Lusaka city council is not known. Due to lack of information

This research tried to investigate the existing conflict that emanated from up-scaling of minimum educational requirements for political leaders on the management of Lusaka City Council. Due to the changing urban trends and problems that some academicians and developmental advocates called for the minimum requirement of civic leaders to be up-scaled to a grade 12 certificate or its equivalent qualification. Their argument was that political leaders that have an educational qualification below a grade twelve (12) certificate qualification couldn't efficiently handle the complexities in the city and other areas. It is on this basis that the minimum education qualifications for political leaders was up-scaled from merely being a Zambian citizen to having grade twelve (12) certificate qualification or its equivalent. The up-scaling of minimum educational requirements seemed to have been received with mixed views by the candidates aspiring as political leaders, the local authority members of staff and the general population. Since the amendment of the constitution and inclusion of the non-contentious clause (minimum education requirement for political leaders). We were not certain the conflict emanating from it among civic leaders. It is on this basis that the researcher was interested in finding out. This study investigated the constitutional amendment of the minimum education qualifications for political leaders. The following research objectives were set to undertake the research.

MAIN RESEARCH QUESTION

What conflicts is emanating from the up scaling the minimum education requirements to a grade 12 certificate or its equivalent for civic leaders to be eligible for adoption and election.

1.4.2 SPECIFIC RESEARCH QUESTIONS

The study research questions where ;

1. What type of conflict has arisen from the introduction of the new minimum educational requirements for civic leaders to be eligible for adoption and election?
2. What is the perception of civic leaders/ local authority staff on the up scaling of the minimum educational requirements for eligibility?
3. Is there a direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects?
4. What challenges may be faced by Lusaka members of staff due to the introduction of the grade twelve (12) certificate qualification / its equivalent?

A case study of Lusaka City council was used to describe the conflict that exists, seeing the introduction of the grade 12 certificates qualification /equivalent as a minimum entry for any political position. The study used both qualitative and quantitative . The quantitative approach was used because it is more formalized in nature as explicitly controlled, with a more carefully defined scope. This approach aimed at examining generally accepted explanations of phenomenon and is more structured and controlled in nature.

This study basically used non-experimental investigation because it was be descriptive in nature. This is because the study was conducted in uncontrolled setting of the Lusaka City Council. This research design is preferred for this particular study as it did not focus on one single case. It instead focused on all responses received from the sample.

The literature review assisted in the formulation of a conceptual framework which guided the research process. The literature review tried to link theory by various scholars with the aim of deriving some in this research. Theories by various scholars were used to argue the case of this research and linked the conflict emanating from the introduction of the minimum education qualification requirement for had an effect on the management of Lusaka city Council and the conflict emanating from it. Further the human capital theory was used to elaborated upon to show the relationship between education and production. The conflict theory was used elaborate on how deprivation makes people become involved in the conflict. Constitutionalism was debated on using various literary scholars. Leadership theories, accountability and transparency were also be discussed as important contributing factors in the conflict emanating from the introduction minimum education requirement for political leaders

Based on data collected, it can be said that the introduction of the grade 12 certificate / its equivalent for political leaders was a plus to the local governance system because participative governance will be achieved this is because of decentralized policy of relinquishing power and responsibility to local authorities and these political leaders are the main decision makers when it comes to policy direction. Zambians felt that they needed leaders that were able to understand the basic policies and were able to participate in governance when it came to decision-making. This would help in the development of the country. Human Capital Theory predicts that increases in the overall level of education can benefit society in ways that are not fully reflected in the 'private returns' of educated workers, what is otherwise referred to as the 'externalities of education'. For instance, social groups, communities or countries where the average schooling is higher offer, as a rule, better living conditions, both material and non-material, than those where the population is less educated (Villa, 2000).

The study also revealed that they were leaders that where adopted and did not possess the grade 12 certificate / its equivalent This was possible because only a judiciary that has integrity and is competent, independent, and efficient can protect the rights of citizens and

deliver equal justice. It is, therefore, imperative that we look at the factors that can help ensure that competence; integrity and efficiency are the hallmark of a judicial system. We must remember that, as Reginald Smith observed: “without equal access to the law, the system not only robs the poor of their only protection, but it places in the hands of their oppressors the most powerful and ruthless weapon ever created” (Smith, 1919). The Zambian High Court on May 2016 passed judgment in a recently passed contentious requirement that sought aspirants to political office to produce a Grade 12 certificate – the highest high school qualification in the country. Some scholars urged that to expect a country with MPs and councillors without grade 12 to steer Zambia into a developed country was utopic. While it is true that Zambia is a developing country and has many of its population uneducated, both the educated and uneducated agree that good representation in the world like ours can best be represented by people with a minimum of a grade twelve certificate or its equivalent. In Turkey article 101 of the constitution of Turkey specifies that the president of Turkey shall have completed higher education this is the same as in Kenya, India and Uganda, be at least forty years of age, and be a member of the Turkish grand national or a Turkish citizen eligible to be a deputy. The requirements for the latter are given by Article 76, and exclude, among others, persons who have failed to perform compulsory military service, and those who have been convicted for dishonorable offences. Judges, civil servants, and members of the Armed forces are not eligible unless they resign from office.

Therefore it can be concluded that the conflict emanating from the introduction of the grade 12 certificate / its equivalent on the management of Lusaka city council.

The constitution should be a people driven process, most people did not understand the implication of the amended clause to include a minimum educational requirement for political leaders

To some extent there is a relationship between having academic qualifications and achieving ward developmental projects because one will be able to make informed decisions that will be of benefit to the ward

The council needs leaders that are able to understand the processes, policies and regulations that govern it like the urban and country Act and will have a better understanding of the resource use. (Haus and Klausen, 2010) define urban or political leadership as democratically elected position holders who are selected by the citizens. Leaders provide for community involvement through broad inclusiveness to increase transparency on development decision-making and implementation. Leaders are also responsible for the mobilization of resources for development and provision of feedback to the community. This then requires an emphasis on transparency and accountability in not only the decision making process for development but also in resource allocation and use.

Acknowledgements

I would like to thank the Lord for bringing me this far. I want to praise him for giving me the strength to carry on even with difficulties that I encountered during my studies. I acknowledge the members of staff from Lusaka City Council and the University of Zambia have shaped and molded my thinking during these two years. My supervisor Mr A.L.H Moonga for the patience and advice rendered to me during the specialization and thesis writing period .

I am grateful my nucleus family (Chota , Mumba and a Kaseba Funga) for the emotional support and encouragement throughout the duration of my studies. I also want to thank without mentioning my external family for their support and encouragement. I acknowledge the role that both my parents played in my life despite not being alive to see this production and phase in my life.

To my employers, Lusaka City Council, I would like to thank them for providing me with the opportunity to undertake this course and for all the support rendered during my studies and research period.

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ACRONYMS

LCC Lusaka City Council

CBO Community Based Organisation

WDC Ward Development Committee

ANC African National

UNIP United National Independent party

UDI Unilateral Declaration of Independence

MMD Movement for Multi party Democracy

CRR Constitutional Review Report

SC State council

UPND United Party for National Development

PF Patriotic Front

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CHAPTER ONE

1.0 INTRODUCTION

This study was aimed at carrying out a systematic and formal inquiry of the conflict emanating from the introduction of the grade twelve-certificate qualification or its equivalent for all political leaders at Lusaka City Council. The amended Zambian constitution requires that all leaders should have a grade twelve certificate or its equivalent for one to vie for a political office i.e. Councilor, Mayor or Member of Parliament. Political leaders are responsible for governing the masses at different levels. It became of interest to assess the type of conflict that emanates from the minimum qualification of a grade 12 certificates, or it's equivalent whether this qualification has as an effect on decision-making. Members of the public and politics received this with mixed feelings. Some would be candidates have even produced fake documents. It is for this reason that the research topic became of interest

1.1 BACKGROUND OF CONSTITUTION DEVELOPMENT OF ZAMBIA

The history of constitution making in Zambia dates as far back as the colonial era, starting with the Federation of Rhodesia and Nyasaland Constitution Order in Council of 1953, which created the Federation of Rhodesia and Nyasaland. Among other things, the order defined the powers of the Federal Government and those of territorial governments. This was followed by the 1962 constitution, which was mainly designed by the Colonial Administration to accommodate the participation of both the white settlers and the Africans in the Legislative Council whilst ensuring that the former had electoral advantage over the latter. Elections conducted under this constitution resulted in a coalition African Government consisting of the United National Independence Party (UNIP) and the African National Congress (ANC). Despite assuming power in 1962, both UNIP and ANC made it clear that they were not satisfied with the 1962 constitution. Their goal was to bring about a constitution based on universal adult suffrage and the granting of independence to Northern Rhodesia outside the Federation. The Federation was dissolved in 1963, after Nyasaland was allowed to secede. The 1964 independence Constitution was worked out as a result of negotiations among the major political actors of the day(Simon Mwale :2005: 49).

These constitutional arrangements were aimed at resolving the conflicting interests of the indigenous Africans, the settler white community and the colonial Government. The Constitution came into being through the Zambia Independence Order, 1964. In essence, however, the 1964 Constitution, like the previous Constitutions, was not a creation of the people of Zambia, as they were not involved in its making. This Constitution was based on a

Westminster model designed for the emerging nations of former British Colonies and Protectorates. Since independence, Zambia has experienced at least three major phases in constitutional development. These were inspired by various factors, such as changed political, social, economical and environmental factors in the country. Developments within the regional and global contexts have also played a part in shaping the Constitution of the country. Many factors played a role in weakening the idea of liberal democracy enshrined in the 1964 Constitution, resulting in the 1973 constitution, which introduced the One-Party State under the UNIP Government. (Constitutional Review Report: 2005;51)

The architects of One-Party rule were inspired by a desire to eliminate political conflicts and build a united political order. The Government of Zambia, like other countries on the continent, justified a one-party State as a variant of democracy best suited to the peculiar African circumstances. Cases of inter-party political violence, the hostile regional environment within Southern Africa occasioned by the Unilateral Declaration of Independence (UDI) in Southern Rhodesia (now Zimbabwe) and the need for political self-preservation all combined to provide a strong argument for replacing the 1964 constitutional order. An additional factor was the socialist influence from the Eastern European Bloc. However, the 1980s saw the demise of communism in the Eastern European Bloc countries and the re-emergence of new democracies in its place. These developments culminated in sweeping ideological re-alignments across the world. This historic shift in the global balance of power precipitated the crisis that led to the crumble of One-Party rule. The shift in the political order in Zambia was also catalysed by serious economic difficulties, which by 1990 had reached extreme levels. There was overwhelming public support in favour of the move towards multi-party democracy. This culminated in the 1991 Constitution, the thrust of which was the re-introduction of plural politics. The 1991 Constitution was seen more as a transitional instrument to answer the immediate pressures of the time. On 31st October 1991, Zambia went to the polls under the multi-party Constitution (Constitutional Review Report: 2005).

The Movement for Multi-Party Democracy emerged winner with a landslide victory. This was followed by renewed search for a lasting Constitution. Thus after coming into power in 1991, the MMD Government initiated another constitution review. The Constitution Review Commission, led by Mr. John Mwanakatwe, SC, made far-reaching recommendations. Notable among these were the strengthening of the Bill of Rights and the inclusion of a range of new rights. Those proposed for addition referred to residence, human dignity and reputation, culture, marriage, a clean environment and equal pay for equal work. Freedom of

the press and the related rights of journalists were to be strengthened. Academic and intellectual freedom and the right to strike and lock out were scheduled for protection. Most notable was a proposed drastic increase in the protection of the rights of women and the prohibition of laws, customary practices and stereotypes, which worked against the dignity of women. Economic protection of women, including maternity leave, was to be included, as was a comprehensive provision on children's rights. Other notable recommendations included restrictions on declarations of emergencies; appointment of Cabinet Ministers from outside Parliament; recall of a non-performing MP; establishment of a Constitutional Court to exercise jurisdiction over alleged violation of any right guaranteed by the Constitution; and adoption of the Constitution through a Constituent Assembly. With regard to qualifications to contest presidential elections in relation to citizenship, the Mwanakatwe Commission recommended that a presidential candidate had to be a citizen of Zambia, born in Zambia. Her or his parents were also required to be Zambian citizens born in Zambia of Zambian citizens. Historically, successive Governments under the Inquiries Act have initiated constitution making in Zambia. Under the provisions of this Act, the President determines the terms of reference, appoints the Commission, and the report of the Commission is made to the President (Kabanda.S :2010;3).

The constitution has remained in sit-up to this day. According to Article 109 of the constitution of Zambia. The local government system is based on democratically elected councils as on the basis of adult suffrage.

Towards the end of 2015, MPs debated and voted for the Constitution of Zambia Amendment Bill which ushered in a number of new electoral rules that took effect on 5th January, 2016 .One of those regulations is the requirement for all people aspiring to contest as President, Members of Parliament or Councilors to have a Grade 12 certificate qualification or its equivalent from no educational requirement. There has been much debate about the issue of grade 12 Certificate or equivalent as a requirement for one to vie for political office. For example, Article 70 (4) states that a person is eligible to be elected as an MP .if they have obtained a minimum qualification of a Grade 12 certificate or the equivalent (Meemba.W;2006;1).Although the description is around the amended constitution which was unnecessarily taken by parliament, the conflict emanating from Lusaka City Council is the said grade twelve certificate or its equivalent for political leaders was not their due to lack of literature. The study tried to investigate the type of conflict emanating from the amended constitution

1.2 STATEMENT OF THE PROBLEM

Since 1964 Zambian constitution required that one had to be a Zambian and twenty one years and above to vie for any political position. When the Patriotic front came into leadership in 2011 they promised to implement the constitution review that leaders at civic level should have a minimum of grade 12 certificates or equivalent. However in 2016, the constitutional review amended this clause and up-scaled the minimum academic qualification required for political leader from no education requirement to a minimum of a grade twelve (12) certificate qualification or its equivalent.

Since the amendment of the constitution, the conflict emanating from the minimum educational requirements for political leaders on the management of Lusaka city council is not known. Due to lack of information

This research tried to investigate the existing conflict that emanated from up scaling minimum educational requirements for political leaders on the management of Lusaka City Council .Due to the changing urban trends and problems that some academicians and developmental advocates called for the minimum requirement of civic leaders to be up-scaled to a grade 12 certificate or its equivalent qualification. Their argument was that political leaders that have an educational qualification below a grade twelve (12) certificate qualification couldn't efficiently handle the complexities in the city and other areas. It is on this basis that the minimum education qualifications for political leaders was up-scaled from merely being a Zambian citizen to having grade twelve (12) certificate qualification or its equivalent. The up scaling of minimum educational requirements seemed to have been received with mixed views by the members aspiring political leaders, the local authority members of staff and the general population. Since the amendment of the constitution and inclusion of the non –contentious clause (minimum education requirement for political leaders). We are not certain the conflict emanating from it among civic leaders. It is on this basis that the researcher was interested in finding out .This study investigated the constitutional amendment of the minimum education qualifications for political leaders. The following research objectives were set to undertake the research.

1.3 .0 RESEARCH OBJECTIVES

1.3.1 MAIN RESEARCH OBJECTIVES

To investigate the conflicts emanating from up scaling the minimum education requirements to a grade 12 certificate or its equivalent for political leaders at Lusaka City Council

1.3.2 SPECIFIC RESEARCH OBJECTIVES

The study objectives where to;

1. Determine the type of conflict emanating from the up scaling of the new minimum requirements for eligibility as civic leaders.
2. Establish the perception of civic leaders/staff on the up scaling the minimum educational requirement for political leaders
3. To determine if there is a relationship between having a grade 12 certificate or its equivalent and the performance of political leaders in achieving ward developmental projects in the last 3 years.
4. Identify the challenges Lusaka City Council members of staff may face due to the lack of the grade twelve (12) certificate qualification / its equivalent.

1.4 .0 RESEARCH QUESTION

1.4.1 MAIN RESEARCH QUESTION

What conflicts is emanating from the up scaling the minimum education requirements to a grade 12 certificate or its equivalent for civic leaders to be eligible for adoption and election.

1.4.2 SPECIFIC RESEARCH QUESTIONS

The study research questions where ;

1. What type of conflict has arisen from the introduction of the new minimum educational requirements for civic leaders to be eligible for adoption and election?
2. What is the perception of civic leaders/ local authority staff on the up scaling of the minimum educational requirements for eligibility?
3. Is there a direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects?
4. What challenges may be faced by Lusaka members of staff due to the introduction of the grade twelve (12) certificate qualification / its equivalent?

1.5 SIGNIFICANCE OF THE STUDY

This study is significant in that its findings may help to guide policy on this matter .The findings of this study may be of help to people that are concerned with the caliber of political leaders. The research is also significant in the practical sense, to the political parties, local authorities and stakeholders involved in decision making for future application purposes. Academically, the findings will also contribute to academic literature on good governance

appropriate qualifications for leadership positions, localized planning and citizen involvement in development planning.

1.6 SCOPE AND LIMITATION OF THE STUDY

This study is only limited to the study of the effects of up scaling of the minimum education qualification for political leaders at Lusaka City Council. The study was limited to Lusaka City Council management; Councilors and the community members from ten wards . Although other factors may influence conflict, only accountability and transparency will be assessed in this research

1.7 DEFINITION OF OPERATIONAL TERMS

The following definitions were adopted based on the work of published authors. An adaptation has been made for the concepts that have been adopted in order to operationalize the research question.

LEADERSHIP

Nelson Mandela quoted by Regina & Simon (2010:23), states that “A leader is like a shepherd. He stays behind the flock, letting the most nimble go on ahead, whereupon others follow, not realizing that all along they are being directed from behind.” The concept of leadership as understood by Hollander (1978:1) as “a process of influence between a leader and those who are followers.” In the course of that process leaders perform various functions including organizing, directing and coordinating efforts, maintaining the group, defining the situation and setting goals. He adds that “leadership also involves internal and external relationships, including conflicts. This means negotiating and settling disputes with other social units, in organizations and other agencies; and nations in the government and the world arenas”

POLITICAL LEADERSHIP

Ullmann (2009; 21) defines political leadership as a relational operation system within a political system, characterized by people interrelated by power who on a basis of selected cooperation but in a context of competition and conflict take public actions (leader) in order to provoke additional actions (followers) to realize common or correlating goals resulting in further differentiation between system and environment and measurable effects on system and environment.

GOVERNANCE

Governance is the process of decision-making and the process by which decisions are implemented. Since governance focuses on the formal or informal actors involved in

decision making and implementing the decisions made . It also looks at the formal and informal structures that have been set in place to arrive at and implement the decision

The concept of "governance" is not new. It is as old as human civilization. Simply put "governance" means: the process of decision-making and the process by which decisions are implemented (or not implemented). Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance. Since governance is the process of decision- making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision.www.unescap.org

CONFLICT

Conflict maybe defined as a struggle or context between people with opposing needs, ideas beliefs, values or goals. Conflict on is inevitable, however the results of conflicts are not predetermined. Conflict might escalate and lead to non-productive results or conflict can be beneficially resolved and lead to quality final products. Therefore, learning to manage conflict is integral to high performance conflict results because of miscommunication between people with regards to their needs, ideas, beliefs, goals or values.
[www.foundationcoalition .org/teams](http://www.foundationcoalition.org/teams)

EFFECTS

This is defined as to cause (something) to happen; bring about:. In this study Effects will mean the negative and positive

TRANSPARENCY

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media. www.unescap.org

ETHICAL CONSIDERATIONS

Authority was sought from the former Area Councillors; Lusaka City Council management to carry out the research and Informed consent was obtained from the respondents. The respondents were briefed about the purpose of the study and also assured of confidentiality of their contributions. They were also assured of avoidance of unauthorised access to such information.

CHAPTER TWO

2.0 LITERATURE REVIEW

This section was aimed at linking theory by various scholars with the aim of deriving some in this research. Theories by various scholars were used to argue the case of this research and to link the conflict emanating from the introduction of the minimum education qualification requirement for has an effect on the management of Lusaka City Council and the conflict emanating from it. Further the human capital theory was used to elaborated upon to show the relationship between education and production. The conflict theory elaborated on how deprivation makes people become involved in the conflict. Constitutionalism was debated on using various literary scholars. Leadership theories, accountability and transparency were also be discussed as important contributing factors in the conflict emanating from the introduction minimum education requirement for political leaders

2.1 THEORIES

2.1.2 CONFLICT THEORY

This theory seeks to scientifically explain the general contours of conflict in a society. How conflict starts and various effects it brings in society . There is no society that exists without any conflict in Tonga we say '*matako alamwi tabuli kuchumbana* meaning when people are leaving together they is likely to be some form of conflict as they co exists .According to Lewis Coser: 2003:34) The central concern of the conflict theorists are the unequal distribution of scarce resources and power. What these resources are might be different from each theorist but conflict theories usually work with Weber's three systems of stratification,class,status and power. Conflict theorist usually see power as a central feature of society rather than thinking of society as held together by collective agreement concerning a cohesive set of cultural standards as functionalist do .Where power is located and who uses it(and who doesn't) are fundamental to conflict theory in this way of thinking about things power is not necessary bad . It a primary factor that guides society and social relations Sociologist have acknowledged that groups require disharmony as well as harmony, disassociation as well association and conflicts within them are by all means together disruptive factors far from being necessarily dysfunctional. A certain degree of conflict is an essential element in a group and the persistence of group life (Coser: 1959:44)

Contemporary conflict theory has modified the idea of deprivation by noting that the shift from absolute deprivation refers to the condition of being destitute living well below the poverty where life is dictated by uncertainty over the essentials of life (food shelter and clothing)people in such a condition have neither the resources or the will power to

become in conflict and social change (Coser: 1959:44). This is related to economic conflict where those with money or wealth have control over those without. In Zambia we have seen those with money or wealth being in control of the economy for example the Dangote was able to have the cement prices reduced, even by other cement companies such as Chilanga cement.

Relative deprivation however refers to a sense of being under privileged relative to some other person or group. adopted for political positions and those without not adopted for example the adoption of Mr G.B Mwamba as the running mate by President Hichilema instead of Mr C. Banda. The basics of life aren't in question here it's simply the sense that others are doing better and that we are losing out on something. These people or group share the material and emotional resources to become involved in conflict and social change. The amendment of the constitution for political leaders to have a minimum of the grade twelve certificate or its equivalent is in line with the conflict theory because some leaders are born leaders and have managed to govern nations without the grade twelve certificate or its equivalent like the later president F.T.J Chiluba from Zambia and even former President Jacob Zuma of South Africa., Mr Obvious Mwaliteta former minister and Member of Parliament. Some political leaders have been unable to stand because of relative deprivation and this has resulted in conflicts

2.1.3 KARL MARX'S THEORY OF SOCIAL CHANGE

Marx argued that conflict is normal and a desirable aspect of social change. The Marxist paradigm is a frame for building theory that envisions society as an arena of inequality that generates conflict and change. Guided by this paradigm, social scientists investigate how factors such as social class, race, ethnicity, sex and age are linked to unequal distribution of money, power, education, social prestige and social structures benefit some people while depriving others of their human rights (Akuffo F.W.B :2006:32). Typically, those on top strive to protect their privileges while the disadvantaged counter by attempting to gain more resources for themselves. In order to continue with the status quo, the ruling classes introduce a superstructure. To Marx, it is the struggle between the ruling class and the working class that brings about change and he referred to it as the mode of production. In relation to the amended constitution of the having a minimum of a grade twelve certificate or its equivalent the amended referendum was a decision that was made by parliamentarians but this had an effect on the ward councilors who did not take part in the process. The qualifications for these councilors was, one had to be a Zambian and had to be Twenty one years old

Marxists radical views are not only a response to economic exploitation or inequality, but also to political oppression and violence. according to Akuffo F.W.B(:2006:34)Marxists believe that this world is full of injustice and this is reflected in the inequalities that exist in society this can be seen from how the amended constitution on the education requirements for political leaders as resulted in inequalities. some people had the opportunity or access to education. and others did not have due to a number of factors i.e culture and poverty . most families felt that there was no need to educate the girl child because they would marry them off . so educating a girl child was seen as resource wasting because the girl Childs role in society was in the kitchen or baring children. . other families could not afford to send their children to school due to high poverty levels and preference was given to the male children .

Structures in society benefit some people while depriving others of their human rights. They claim that the wealth produced goes to a tiny fraction of the world population, (capitalists) which monopolies the economic and political power while large masses of people (proletariats) benefit little from the wealth their work creates. Just like liberals, they take capitalism as a unit of analysis. They say all this unfair distribution of wealth is because the world is leaving under capitalism. They believe capitalism is something that can be reformed. Thus, changing the world view is by overthrowing capitalism. They say the pace should not be slow instead masses of workers should be formed to bring an abrupt change even to the point of violence and bloodshed. They believe in the revolutionary approach, a system which involves mobilizing mass social movements, which by the use of violence successfully overthrows the capitalists.

2.1.4 HUMAN CAPITAL THEORY AND EDUCATION

The twenty-first century paradigm is shifting towards the enhancement of knowledge as a priority, as states connect their higher educational systems much more closely to their various economic development strategies The human capital theory states that Education is an economic good because it is not easily obtainable and thus needs to be apportioned. An expansion of educational opportunities and access is believed to promote economic growth(Vila,2000:38).

Human capital theory rests on the assumption that formal education is necessary to improve the productive capacity of a population. In short, human capital theorists argue that an educated population is a productive population. Nickell (2004;22). they believe for one to make a good leader they should be educated because politicians are policy makers and the policies are mainly implemented by the technocrats in the governance systems for example at Lusaka city Council policies are made by the board of directors, these include the Mayor

and the ward councillors. Any policy made is implemented by the technocrats this includes the Town clerk and management .. good policies usually translate into great achievements.

Human capital theory emphasises how education increases the productivity and efficiency of workers by increasing the level of cognitive stock of economically productive human capability, which is a product of innate abilities and investment in human beings.. if the councillors are educated they will be able to make good decision because education changes the thinking of someone . There is a difference in thinking and analysis of issues by a grade seven , nine , twelve and a degree holder . According to Psacharopoulos et al. (2004:64) the provision of formal education is seen as an investment in human capital, which proponents of the theory have considered as equally or even more worthwhile than that of physical capital. In the past, economic strength was largely believed to be dependent on tangible physical assets such as land, factories and equipment. Labour was a necessary component, but increases in the value of the business came from investment in capital equipment. Modern economists seem to concur that in the new global economy, education and health care are the key to improving human capital and ultimately increasing the economic output s of the nationhe Human Capital Theory has roots in the works of classical authors such as Adams Smith (1776) and Alfred Marshall (1890). The former concluded that ‘a man educated at the expense of much labour and time may be compared to one of those expensive machine and the work he learns to perform should replace to him the whole expense of his education’. The latter referred to industrial training as ‘a national investment’. Much later authors such as Mincer (1958), Schultz (1961) and Backer (1975) gave ‘meat’ to this theory when they affirmed that time and money spent on education builds human capital hence one should be able to estimate the rate of return on such investment, in a way similar to investment in physical capital. In short, the HTC states that a person’s education is an investment (involves costs, in terms of direct spending on education and the opportunity costs of student time) in her/his human capital (akin to investment by a firm in physical capital), which makes the individual more productive and accrue him/her a future stream of benefits (superior productivity, higher wages and other non-monetary benefits to the individual and the society).

For instance, Psacharopoulos and Patrinos study “Human capital and rates of return” (2004:7) conclude that educational quality, (measured by cognitive skills) has a strong impact on individual efficiency and effectiveness moreover educational quality has a strong and robust influence on economic growth with “truly causal relationships,” while Finnie and Meng (2002) and Green and Riddell (2002) established the same fact in Canada. Nickell

(2004:13) considered how differences in the distribution of incomes across countries were affected by the distribution of skill and concluded that “the bulk of the variation in earnings dispersion was generated by skill dispersion..

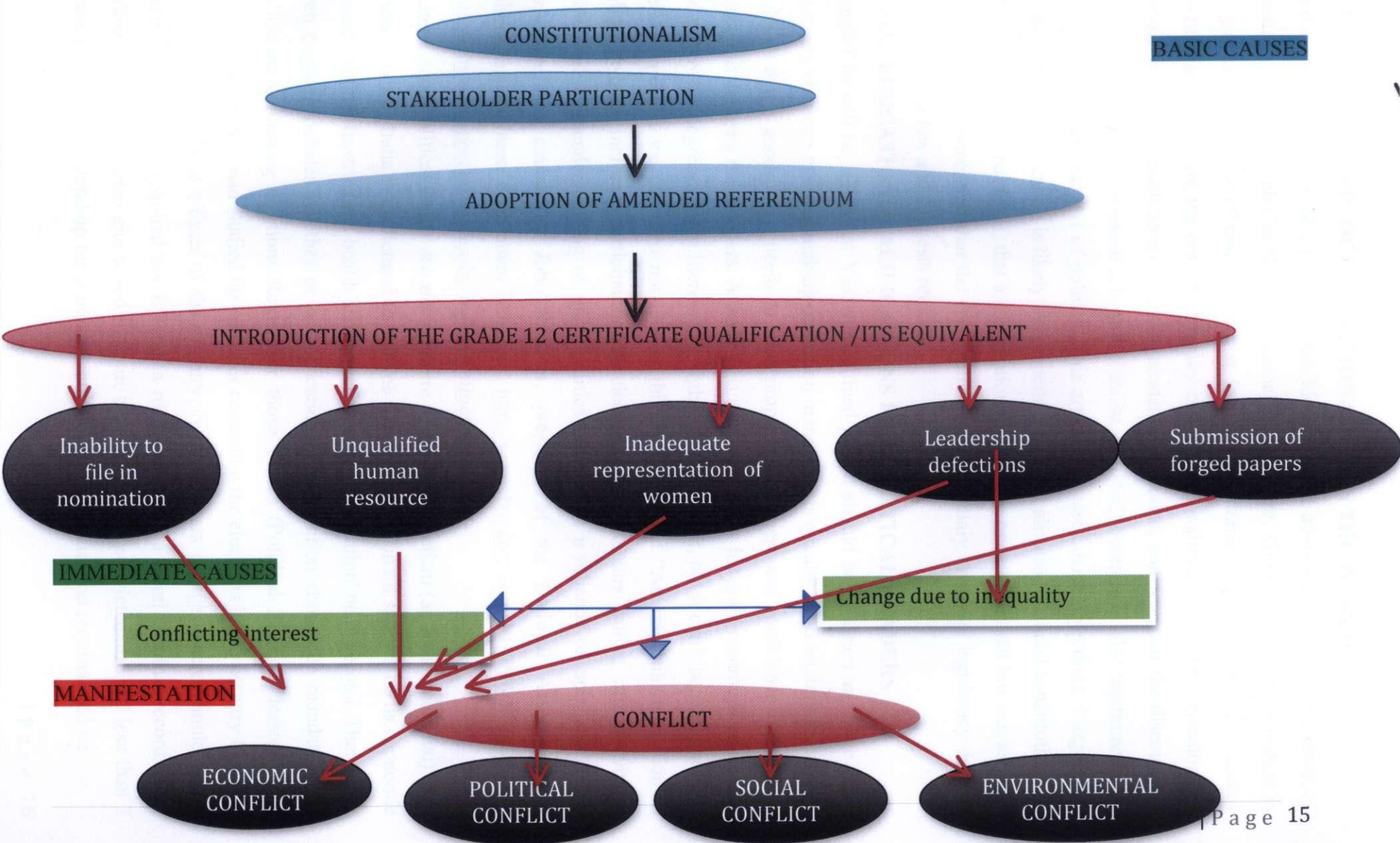
Also according to the theory, other benefits of education may be realised in terms of greater productivity and less need to incur costs. An example of educational benefit that improves production possibilities is the greater labour market productivity of those with additional schooling. And the lesser dependency on subsidies in educated communities is an example of benefit that reduces costs for tax-payers (Vila,2000:26). In addition, a large body of literature in macroeconomics has underscored that productivity spill over's are important determinants of economic growth and that an increase in aggregate human capital will have an effect on aggregate productivity[which is as a results of an increase in an individual's education on productivity(Moretti,:2005:23). This theory is in line with the introduction of the minimum educational requirements for all political leaders because Zambians felt that they needed leaders that were able to understand the basic policies and were able to participate in good governance when it came to decision-making. This would help in the development of the country. Human Capital Theory predicts that increases in the overall level of education can benefit society in ways that are not fully reflected in the ‘private returns’ of educated workers, what is otherwise referred to as the ‘externalities of education’. For instance, social groups, communities or countries where the average schooling is higher offer, as a rule, better living conditions, both material and non-material, than those where the population is less educated (Vila, 2000)

2.2 CONCEPTUAL FRAMEWORK

The following concepts were drawn from the literature review in order to understand the conflict emanating from the introduction of the grade 12 or equivalent educational requirement .this is done not only to explain phenomena that is occurring in society but to further strengthening theories by testing them against practice and occurrences in society. Due to limitations such as time and resources, the research was only focused on the following concepts presented in the conceptual framework below. These are

- i. Constitutionalism
Conflict
- ii. Education
- iii. Stakeholder participation
- iv. Leadership
- v. Transparency
- vi. Gender mainstreaming

TABLE ;CONCEPTUAL FRAMEWORK



2.3 CHARACTERISTIC OF CONSTITUTIONALISM IN THE WORLD

Global constitutionalism is an agenda that identifies and advocates for the application of constitutionalist principles in the international legal sphere. Global constitutionalization is the gradual emergence of constitutionalist features in international law. Critics of global constitutionalism doubt the empirical reality of constitutionalization, call into question the analytic value of constitutionalism as an academic approach, and fear that the discourse is normatively dangerous because it is anti-pluralist, artificially creates a false legitimacy, and promises an unrealistic end of politics. This article addresses these objections. I argue that global constitutionalization is likely to compensate for globalization-induced constitutionalist deficits on the national level, that a constitutionalist reading of international law can serve as a hermeneutic device, and that the constitutionalist vocabulary uncovers legitimacy deficits of international law and suggests remedies.

INDIAS EDUCATIONQUALIFICATIONS FOR POLITICAL LEADERS

Many of us will be agree that Yes, our political person should be educated and have some necessary etiquette too. But making education mandatory is equally contradictory though we all know that a good leader needs to have proper commitment and confidence with which he/she can delegate the listeners. A leader has to be elected by his good communication skill and not by his degrees. Being literate is a highly desirable trait, but it can't be mandatory as well. Purposely, we can also not belittle this statement that "An impartial education in politics would increase participation in elections with electors voting armed with a knowledge and understanding of party politics rather than a reliance on spin and media prejudices," as coined by John Rimmer, president of the National Association of Schoolmasters/Union of Women Teachers. <http://www.boydom.com/2013/06/19/50-dumb-statements-and-speeches-given-by-indian-politicians/>]

Being a good political leader one must require a striving patriotism (an Indian national). In a situation where India is challenged to become a World's No.1 in all spheres be its economic development, infrastructure, health and hygiene, so why 'Education' be in second. There have been ongoing debates whether or not educational qualification should be mandatory for politicians contesting elections. Remember those Civics (Political Science) lessons from school in which you had studied the rules for contesting the elections in our country India? A person needs to be a citizen of the country, over 25 years of age. There should be no minimum education required nor is there a requirement for a clean criminal record. If an individual has been tried and tested in court before, but was convicted/arrested less than 2 years, he or she can stand up for general elections. Well, no education required and no

restrictions on criminal record. Our so called constitution has been questioned for the word “Secular” but no evidence out for the qualification of people who want to be a Political leader. <http://www.boydom.com/2013/06/19/50-dumb-statements-and-speeches-given-by-indian-politicians/>]

It is desirable to make a minimum qualification be enforced so that our MLA/ MP may have the ability to comprehend various socio-political issues. Sometimes, the debates in the Parliament and various legislative assemblies’ needs an enlightened and educated opinion, every time derogatory/defamatory statements and illogical debates drift onto issues that have no relevance to the current topic. For example, Sharad Yadav, who never sticks to the issue, he may starts speaking about the backward classes no matter what the issue at the deal. Same goes with Mulayam, Mamta and numerous others. Obviously, this happens only because they neither have the ability to comprehend the nuances of the subject nor the knowledge at par. Our political representative has to be one of the people, by the people and for the people (People mean Common Man). They might have no education constraints or B.A./M.A. Degrees but at least they should have the logic and can give a systematic instruction to the listeners.

Some instances, such as Manmohan Singh, who is well educated but proved failure as a leader, Kapil Sibal have a Harvard Degree and he seems to be the most ludicrous politician in the country. If we talk about Mayawati, who knows better about law and order (In corruption, also) but not so much educated though. Mr Kalmadi, who tarnished India's reputation across the globe with Commonwealth Games Scandal, has an MA and the list goes on...

[Here are some of the illogical and dumbest statements made by our great politicians... some of them are equally educated but they lacked the sense of intelligence, I guess!

<http://www.boydom.com/2013/06/19/50-dumb-statements-and-speeches-given-by-indian-politicians/>]

In a country like India, where people elect through a voting system based on caste, money and religion ways, a person who is properly educated can judge the whole scenario and can judge the minister’s potential too. Does the so called illogical Voting is enough..really? Though intelligence has more prominence over education, it’s the education which boosts up the minimum knowledge of an individual. A well educated man is considered as the resource for the development of the country. And if the leaders of the human resource are ill literate then there would be no proper guidelines for human resource. An ill-literate leader would have no thinking, realizing, amplifying and implementing ability, which he needs to uphold.

Uneducated politician may misuse their power and in spite of thinking for development they will get themselves involved in criminal activities. They would not bother of citizens' deficiency and problems. They would become corrupt. In order to prevent the country from all these shortcomings, rules should be implemented that "people having a limit of education qualification could take part in the political system of the country." Hence, minimum education is must for politicians.

the following are the educational requirements for presidents

INDIA

Article 58 of the [Constitution](#) sets the principle qualifications one must meet to be eligible to the office of the President. A President must be:.

- a Citizen of India.
- of 35 years of age or above
- qualified to become a member of the lok sabha

A person shall not be eligible for election as President if he holds any [office of profit](#) under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments. Certain office-holders, however, are permitted to stand as Presidential candidates. These are:

- The current [Vice President](#).
- The [Governor](#) of any [State](#).
- A Minister of the Union or of any State (Including [Prime Minister](#) and [Chief Ministers](#)).

In the event that the Vice President, a State Governor or a Minister is elected President, they are considered to have vacated their previous office on the date they begin serving as President.

MEXICO

The [constitution of Mexico](#) requires the candidate to be natural-born citizen of Mexico with at least one parent who is a natural-born citizen of Mexico. The person should be at least 35 years of age and should have resided in Mexico for at least 20 years in his entire lifetime and for the entire year before the election. The person should not be a secretary or under-secretary of state, attorney general, or governor of a state at least 6 months prior to the election.

PHILIPPINES

Article VII, Section 2 of the 1987 Constitution provides that no person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, able to read and write, at least forty years of age on the day of the election, and a resident of the Philippines for at least ten years immediately preceding such election. The President of the Philippines (Filipino: *Pangulo ng Pilipinas*; Spanish: *Presidente*) is both head of state and head of government of the republic. He is leader of the executive branch and commander-in-chief of the Armed Forces of the Philippines.

TURKEY

Article 101 of the constitution of turkey specifies that the president of turkey shall have completed higher education, be at least forty years of age, and be a member of the turkish grand national assembly or a Turkish citizen eligible to be a deputy. The requirements for the latter are given by Article 76, and exclude, among others, persons who have failed to perform compulsory military service, and those who have been convicted for dishonorable offences. Judges, civil servants, and members of the armed forces are not eligible unless they resign from office.

UNITED STATES OF AMERICA

The person must be a natural-born citizen of the United States and must have been a permanent resident of the united states of America for at least 14 years. Each candidate must be at least 35 years of age.

2.4 THE CHARACTER OF CONSTITUTIONALISM IN AFRICA

Africa's constitutional history is an excellent case. The unending conflicts and civil wars in most of the African countries on the continent have been orchestrated by the quest to establish constitutional regimes that can grantee everyone's equal; participation in economic , social and cultural activities in their respective nations . Indeed the emerging independent African states of the 1960s proclaimed their commitment to democracy, good governance and respect for human rights Mamdani (:2003:23);. Shortly after independence the constitution of most emerging states if not all emerging states where soon subjected to numerous amendments in a manner that watered down the essence of constitutionalism and good governance.

Constitutionalism is an ongoing process in which each new generation engages and when necessary alters in the process of such engagement ie referendum's

Sadly the end of the 1990s was characterized by the negation of pledged democracy and gross violation of human rights with impunity across the continent. Ruling parties had become intolerant to opposition politics stifled democracy and sacrificed constitutionalism on the altar of political greed clearly although African countries were expected to embrace and promote constitutionalism and democracy at independence they neglected the same with impunity. Not only did most post independence African states retain some archaic colonial law after independence they also cherished the irresponsible practice of frequent constitutional amendments aimed to accommodate the whims of the ruling class .thus they went full

throttle to endorse the chronic culture of poor governance .consequently innocent citizens where unabatedly denied they enjoyment of many other fundamental rights and freedoms . the on-going situation in Africa is a clear indication of how the constitutionalism can produce consequences which when carefully considered are the antithesis of democracy and good governance . the situation also explains why at the dawn of the twenty first century the continent has witnessed more than ever agitation for comprehensive constitutional reforms and good governance

UGANDA

Many scholars have investigated and discussed the political events characterizing the struggles against colonial rule and leading to the country's independence. There is no need to belabor these events. Nonetheless, some conclusions can be drawn from the history of pre-independent Uganda, more particularly the nature of political parties that the historical events produced. The first political parties were ideologically grounded and were formed to challenge colonial exploitation. These parties had grassroots support and touched on issues that were pertinent to the local populace, such as the price of agricultural produce and equity in the colonial economic system. One could say that political parties at this stage commanded popular mandate. However, the colonial move to suppress nationalism and voices of dissent shattered the growing grassroots party movements that had sprang up. (Mamdani :2003);

The effect was that political parties were isolated and disentangled from the grassroots. As a result, the parties became elitist. Byrd describes the candidates of the 1959 elections as having consisted of an elite group, which among others arose from a requirement that all candidates had to pass examinations in the use of the English language, or possess qualifications which could not be obtained without a working knowledge of English'. With

this, education became a political asset. . In Uganda just like the Zambian amended constitution for one to stand for any political position there is an educational requirement (a pass in English)

SOUTH AFRICA

The constitution-making process in South Africa has been hailed as a key part of the successful transition from the oppression of apartheid to a democratic society” (Hart 2003, 7). It took seven years, from 1989 to 1996. According to Vivien Hart, there were several key phases in the process (Hart 2003, 7-8). The first phase, from 1989-1994, was entirely focused on determining how the constitution would be negotiated – a process that took five years. The steps included: a 1989 agreement by top leadership, Nelson Mandela and P.W. Botha, that an interim constitution would be put in place while a final document was negotiated; a 1990 agreement to negotiate about how constitutional negotiations would be structured; an agreement on procedure negotiated from 1991-1993; the 1993 agreement on the content of an interim constitution, including principles to be included in a final document; and in 1994, an election for the parliament, which then convened as the Constitutional Assembly.

Until the elections, all of these initial steps took place at the elite level. But the public participated in huge numbers to elect this first parliament, and after its election in 1994, the Constitutional Assembly itself reached out to the electorate. According to Hart, this included a broad education campaign using all types of media as well as public meetings throughout the country. These reached an estimated 73% of the population, and the Assembly got over 2 million submissions from individuals and groups. The Assembly, taking these submissions into account, worked through several drafts, which were reviewed in turn by the Constitutional Court and finally approved. In December 1996, President Mandela signed the document into law.

In extracting the learning from this process, Hart comments: The South African process took time. It was phased. It benefitted from an interim constitution that allowed the dialogue of transition to continue. Participation was invited at a chosen moment rather than throughout and then creativity and resources were committed to facilitating a serious dialogue. Trust that the outcome would be consistent with the 1994 democratic principles was created by the continuation of the conversation between judicial certification and parliamentary confirmation. Groups including women and traditional authorities found voice and access and made sure that their interests were taken into account (Hart 2003, 8).

The result has been a constitution universally hailed as a model of rights protection, and an implementation relatively free of violence, several successful national elections and transitions of power, and a protection of civil and political rights along with a strong rule of law. The country is not without its problems, of course – but it is an example nonetheless of how participation in constitution-making can forge a working partnership between former adversaries that is based on trust in government and trust in each other.

In South Africa according to sub1 of the constitution tenth amendment act of 2003 and by 1 of the constitutions fifteenth amendment act of 2008 for one to stand for a political position , they must]be prescribed by national legislation is based on the national common voters roll provides a minimum voting age of 18 years and above results in general , in proportional representation

KENYA

Kenya's political leadership can be analysed at two levels ; The national or government level on one hand and the political party level at the other . Kenya attained independence in 1963 with Jomo Kenyatta as its leader, given the instability of political alliances formed immediately before and after independence the first KANU government was unwilling to operate under the central authority an intention that was confirmed in 1964 with the adoption of the Unitary constitution that Kenya still follows to this date (Waruhiu :1994:2-12)The colonial administration dismantled the traditional checks and balances regulated by political systems during the pre-colonial independence era . where traditional leaders answered to the political norms and customs to their individual societies (Parpart 1988:210). it is common knowledge that to secure victory in an election in Kenya , one has to bribe supporters , sabotage opponents and bribe election officials . In Kenya all public offices are bound by Chapter Six of the Constitution (Leadership and Integrity) as well as the Leadership and Integrity Act, Public Officers Ethics Act and other applicable laws.

PRESIDENT/DEPUTYPRESIDENT

QUALIFICATION [ACT 137 & 148(1)]

must have been a citizen by birth for one to stand as a member of parliament

nominated by a political party or an independent candidate

nominated by not fewer than 2000 signatures of registered voters from each of the majority of counties

section 22 of the election Act requires that the aspirant must have a degree from a recognised university in Kenya

with the advent of European colonialism African women increasingly found themselves politically marginalised in their respective political systems where politics were the sole preserve for men . today only money counts(Gordon 1996:251) . it is no surprise therefore that in most of Africa today, women are lagging behind in political leadership . they are mostly regarded to the domestic sphere and the few who have made it politically do so through male domination patronage lines and affirmative action .

This is also evident in Zambia even though 30% of the political positions are supposed to be held by women only a few hold those positions , we can boast that since independence it is the first time Zambia had a female president . in line with the study , Kenya requires their aspirants to have a degree from a recognised university to stand as a political leaders which is much higher than Zambia.

ZAMBIA

Over the years, the peoples call for the republican constitution that is expected to stand the test of time has been clear .there has been successful attempts to engage the population in constitution making in Zambia . The Mvunga commission, Mwanakatwe commission and the Mungo"ambas commission all aimed at people driven constitutional reform under the inquires act . on 17th April 2003, by statutory instrument No. 40 of 2003 , his Excellency the late president , Mr Levy , Patrick Mwanawasa , SC, in exercise of the powers under the inquires ACT Cap 41 , appointed a commission to review the constitution of Zambia . This commission was chaired by Willa Mung'omba upon the commission being constituted president Mwanawasa in his address , stressed that the commission had been constituted following the very extensive consultations with stakeholders . he said his non partisan exercise meant to enhance good governance , constitutionalism and the rule of law in the country . he added that a good constitution would strengthen the countries young democracy and ensure that there was harmony and peace in the country The report would primarily be based on written and oral submissions received from petitioners across the country as well as Zambians living abroad the following submissions were made for the qualification and disqualification of political leaders .(Constitution Review Commission Report ;2005:19)

- being a Zambian by birth
- having both parents as Zambians

- having a minimum education of grade 9, 12, diploma or degree(grade 12 being the most popular)
- being 18 years and above
- being not more than 55,60 or 70 years of age
- having no criminal record
- having a traceable village or chief in Zambia
- being financially sound
- having a record of public service

the commission appreciated the submissions that in order to have sound leadership , candidates needed to be subjected to a minimum education requirement . the commission recommended that a minimum of grade12 or its equivalent in addition to the new qualifications. It can be observed that the amended constitution is in line with the submissions that were made during the Mung'omba commission by the Zambian people .one of the most controversial provisions in this legislation is that the president determines the terms of reference and appoints the commission and the commission reports to the president . This method of review and adoption of the constitution under this Act allows the government to override the wishes of the people .(Hinz.M.O:2003). Consequently this has been a source of contention, particularly following the review under the Mwanakatwe commission . for instance the proposal by Mwanakatwe commission to adopt a constitution via constituency assembly was regarded by government for technical reasons

The Mugomba Commission review in its report of December 2005 noted with concern that the current constitution as amended does not explicitly deal with the subject of democratic governance though they are a number of statutes dealing with the electoral process. However principles of democracy such as separation of power , free elections are indirectly addressed under the other chapters of the constitution . .(Constitution Review Commission Report ;2005:39)

The Mvunga commission of 1991 in its report had recommended that a fresh electoral regulatory regime be enacted to enhance the conduct and supervision of elections in line with the new democratic dispensation. The commission also recommended that the electoral system with respect to the determination of the winning candidate should be reviewed to tackle the problem of the single minority winner who should in fact have received a minority of votes in relation to the total number of valid votes . The electoral reform technical team (ERTC) borrowed this provision when it recommended a mixed member majority system

be adopted . This was buttressed by the recommendations of the constitution review commission (CRC). .Ihonvbere.J (2006) the provision was deemed to be fundamental as it would promote fair representation of political parties , women , minorities and interest groups . The ERTC also recommended 50%+1 and running mate in determination of the presidential poll results, dual citizenship and the adoption the minimum education requirement to a grade 12 certificate or its equivalent . The Mvunga and Mwanakatwe commission recommended this concept. This issue in sighted debate and conflict in Zambia . It raised the question of the constitution as an instrument for resolving conflicts that arise out of the electoral process (Mwemba.W.2006)When the Patriotic front government came in power the promised the people of Zambia they would adopt the new constitution in ninety days under the late president Mr. Micheal Chilufya Sata. The current President Chagwa Lungu signed the Constitutional Amendment Bill of 2015 as part of the Country's supreme law affirming to the promise of Zambia's democracy An Act to amend the Constitution of Zambia. On The 5th January 2016 the Parliament of Zambia enacted it. 1. This Act may be cited as the Constitution of Zambia (Amendment) Act, 2016. The following clauses were adopted in the new constitution

Part 5 (v) of the constitution representation of the people

45. (1) The electoral systems provided for in Article 47 for the election of President, Member of Parliament or councilor shall ensure—

- (a) That citizens are free to exercise their political rights;
- (b) Universal adult suffrage based on the equality of a vote;
- (c) Fair representation of the various interest groups in society; and
- (d) Gender equity in the National Assembly or council.

(2) The electoral process and system of administering elections shall ensure—

100. (1) A person qualifies to be nominated as a candidate for election as President if that person—

- (a) Is a citizen by birth or descent;
- (b) Has been ordinarily resident in Zambia;
- (c) Is at least thirty-five years old
- (d) Is a registered voter;
- (e) Has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent;
- (f) Is fluent in the official language;

- (g) Has paid that person's taxes or has made arrangements, satisfactory to the appropriate tax authority, for the payment of the taxes;
- (h) Declares that person's assets and liabilities, as prescribed; (i) pays the prescribed election fee on, or before, the date fixed for the delivery of nomination papers; and
- (j) is supported by at least one hundred registered voters from each Province.

Part 6(VI) of the amended constitution the System of Local Government 151.

(1) There is established a local government system. councilor shall be elected in accordance with Article 47(3) by registered voters resident within the district.

(2)A council shall consist of the following councilors—

- (a) Persons elected in accordance with clause (1);
 - (b) a mayor or council chairperson elected in accordance with Article 154; and
- not more than three chiefs representing chiefs in the district, elected by the chiefs in the district.

(3) The system of electing chiefs specified in clause (2) (b) shall be prescribed.

(4)A person qualifies to be elected as a councilor, excluding councilors specified under clause (2) (b), if that person—

- (a) Is not a Member of Parliament;
- (b) Is not less than nineteen years of age;
- (c) Has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent;
- (d) Is a citizen or a holder of a resident permit, resident in the district; and
- (e) Has a certificate of clearance showing the payment of council taxes, where applicable.

(5) A council may invite a person, whose presence is in its opinion desirable; to attend and to participate in the deliberations of the council but that person shall have no vote.

(6) The term of a council shall be five years commencing from the date the councilors are sworn into office after a general election and ending on the date Parliament is dissolved

.According to MunaNdulo(2011:4) The judiciary in any country is central to the protection of the rule of law and the protection of human rights and freedoms. It is also an essential check and balance on the other branches of government, ensuring that laws of Parliament and acts of the executive comply with the constitution and the rule of law. Over one hundred years ago, Alfred Deakin, Australia's first Attorney-General, described the courts as being the final authority on the interpretation of the constitution. He noted that the Australian High Court was to be given "a most potent voice." It was to determine the powers of the Commonwealth, the powers of the states, and the validity of the legislation (Ponnambalam,

1998: 38). Emphasizing the role that courts play in the protection of rights and the delivery of justice in any society, Justice Lewis Powell of the United States Supreme Court observed: Equal justice under the law is not merely a caption on the façade of the Supreme Court Building; it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system existed. It is fundamental that justice should be the same, in substance and availability, without regard to economic status (Powell Jr., 1965). Only a judiciary that has integrity and is competent, independent, and efficient can protect the rights of citizens and deliver equal justice. It is, therefore, imperative that we look at the factors that can help ensure that competence, integrity and efficiency are the hallmark of a judicial system. We must remember that, as Reginald Smith observed: “without equal access to the law, the system not only robs the poor of their only protection, but it places in the hands of their oppressors the most powerful and ruthless weapon ever created” (Smith, 1919)

The Zambian High Court on May 2016 passed judgment in a recently passed contentious requirement that sought aspirants to political office to produce a Grade 12 certificate – the highest high school qualification in the country. Judge Dominic Sichinga passed judgment in a matter of public interest saying even those that have gone to trade school but did not possess grade 12 certificates can still contest the 2016 election. The development gave hope to those that were seeking political office, others did not possess the grade 12 certificate. However, some of those who do not possess high school qualification have gone on to improve their qualification with a trades school certification from the many institutions dotted across the country.

Part of Judge Dominic Sichinga SC’s judgement read:

“I am quite satisfied that a tertiary certification by this definition is higher than a ‘secondary education’ which according to the Education Act “means education provided from grades eight to twelve.” In this context I accept the submissions highlighted by the learned Attorney-General that a qualification higher than secondary education or its equivalent renders a person eligible to contest elective office under the impugned provisions of the constitution. In my view, a higher qualification includes any certification awarded by a tertiary institution or educational institution offering skills training.

A courageous lady Sibongile Zulu had sought the court’s interpretation on the grade 12 certificate. While others were holding press briefings, going to Matero-based ECZ, Ms Zulu identified the best avenue to settle the contentious issue, which has benefited many Zambians. In my opinion, our youth must have compulsory lessons on political

education before they leave their higher studies, we never know, maybe one of them will be our future minister or president. Today's generation always strives towards democracy and leadership, while giving them proper political educative scenario, we can encourage them more to tackle the emergence in their later life. It is more important for students to learn about the political system at school rather than rely on the words or views of current politicians. Education is an enlightening experience. Education is a highly desired trait and is needed very desperately to build a better nation. But it can't be a qualifying point for publicly elected representative. Well, one of the Worlds' most respected and famous politician in recent times was President Lula of Brazil and of course, he was a workshop laborer. The main priority of education is persons' growth, morally and by etiquette. In this fast developing world every person should be equipped with the knowledge and technology to compete. Education is the supreme source for the development of humans. Even to understand the on-going latest changes in the law making dictions, the politician has to improve their educational qualifications. According to Muna Ndulo(2011:5) Constitutionalism as an element of the rule of law largely depends on how constitutional limitations imposed on government are interpreted and enforced. Judges' interpretations of the constitution and other laws support the rule of law, not executive whims; and judicial review permits courts to declare as invalid law or conduct that is inconsistent with the constitution. Only an independent judiciary can effectively review governmental acts and ensure the constitutional guarantee of human rights

SOCIAL MEDIA VIEWS ON THE INTRODUCTION OF THE MINIMUM EDUCATION REQUIREMENT FOR POLITICAL LEADERS

THE DAILY NATION NEWS PAPER

Posted on 11 February 2016.

In the past few weeks, there has been debate about the issue of grade 12 Certificate or equivalent as a requirement for one to vie for political office. It appears, in the minds of some of those against this clause the only way to participate in governance of this country is by being a political leader. Also, the argument that some aspirants have invested their money and time preparing to contest these elections and therefore bringing the G12 Certificate requirement would disadvantage them does not make sense. Firstly, it such individuals wishing to vie for political office who need to appreciate the value of school. Sad as it may be for them, they need to appreciate that not everybody can be and should be a political

leader. Only those that have the necessary qualifications (G12 Certificate or equivalent) and qualities that are above the ordinary person should be allowed to lead this country.

Why should 13 million people be governed by leaders who can hardly read and write simply because such individuals have spent money to prepare for elections?

How can people without a minimum education be expected to steer this country to meaning development?

How can councillors without even a grade 12 Certificates be expected to manage K1.3 million or more as CDF on an annual basis if they do not understand the basic principle of maths and book keeping?

With the principle of devolved governance how will such leaders be able to effectively manage doctors, nurses and teachers and ensure development if they have no such qualifications as a minimum and have not attached value to education and the education system as a whole?

Those that are affected by and are against this clause should remember that even this clause was a submission made by Zambians, just like the running mate clause. It appears some individuals or groups of individuals including some media houses in their rage,

bitterness and quest for political mileage want to draw this country backwards, all for their selfish political interests. How will those without such qualifications be motivated to obtain them if we lower the bar merely to accommodate ignorance among our leadership? Shouldn't such leaders be ashamed that whilst many with Bachelors' and Masters degrees walk the streets without governing and directing the course of our country plans and economy, they have sat poorly representing this country and mismanaging its affairs due to their lack of or inadequate formal education.

While this may have been the case in the past, times have changed and as a country we should not use the yardstick of 1964 to manage the affairs of this country in the 21st Century. It is saddening listening to some of our politicians speaking against this clause passionately. One can only wonder what their intentions for this country are. It appears, to many, political correctness and expediency is now more important than accountability and good management of this country. To expect a country with MPs and Councillors without G12 Certificates to steer this country into development and ensure that we become a developed country by 2064 is utopia. While it is true that Zambia is a developing country and has many of its population uneducated, both the educated and uneducated agree that good representation in a world like ours can best come from people with a certain level of education and G12 Certificate is the minimum hence the

submission. It is also faulty to assume that only those with G12 Certificates submitted that this be the case and that they are the ones encouraging it. Many parents who do not have G12 Certificates appreciate and know that their children with an education would make better political leaders and represent them more effectively. How can one without even a G12 Certificate be expected to adequately represent Zambians at international for a and champion our interests as a country?

Politics of today are certainly different from those of the 1960s and to have a parliament or council full of individuals without even a G12 Certificate would a nightmare for this country. Today's technology, business environment, management requirements and policies and plans require education. Therefore, if as a country we opt to lower the quality of qualifications required for our political office holders it will simply mean we do not wish to be competitive in today's global market. How shall these individuals understand market dynamics, political and economic issues, climate change and other related challenges if they cannot understand ordinary level maths, physics or chemistry?

Another point to note is that the aspirants at councillor level are expected to come from the same district where they wish to contest. The argument been forwarded by those against G12 Certificates or it equivalent is that we may not have councillors in rural areas to represent people if we put requirement.

It is true that all districts in Zambia have enough people with G12 certificates to make up councils in those areas hence the issue of not finding people in these areas does not hold. Can someone serious tell us which district in Zambia does not have enough grade 12 Certificate holders to make up a council? Additionally, being a political leader is not the only job that people without G12 Certificates or equivalent can aspire for, there are other jobs or things they can do for which they may qualify and for which no restriction has been put. Perhaps this will be an opportunity for young and educated Zambians who for a long time have shunned some of these political positions due to lack of constructive engagement to take these positions up and steer this country towards the much-needed development.

For a country that seeks to bring sanity to the political scene, devolve power to the grassroots and become a developed country by 2064, how can having illiterate or semi-literate individuals as drivers of the country's plans and economy help achieve that? Why should we embrace ignorance because of a few individuals who do not wish to develop themselves for whatever reason? Like the president is quoted to have said, they should go back to school instead of wishing to drag everybody backwards. If getting a grade 12 Certificate is so difficult for them why should governing thousands and millions of people either at local

ward level or constituency level be any simpler? Why should guiding national policy and managing the Zambian economy be easier? As Zambians, it is high time we moved from political correctness to doing the right thing and having a heart for this country. It has become fashionable to look at everything in the eyes of political party cadres in this country. It appears political correctness and expediency now is more important than doing the right thing that ensures development and advancement of the Country as a whole.

Interestingly, Zambia has had a shortage of doctors, teachers, nurses among others in many of these rural areas for a long time. And none of the individuals advocating for compromise on G12 Certificates ever suggest that we just allow anyone with some knowledge to become doctors, teachers and nurses because we may not find qualified doctors, nurses or teachers in rural areas.

So are we now saying that being a teacher or nurse should demand better qualifications than being an MP or Councillor?

And as a country we know that the laws will be made by MPs and Councillors and councillors will become even more instrumental in national development with the devolving of governance. How effective do we expect them to be if they do not even have as a minimum qualification a G12 Certificate?

Do we really expect them to manage Doctors, Nurses, Teachers and other government officers at local level and ensure national development if they themselves do not have these qualifications, and do not value them? How will these individuals be able to manage PhD and Masters holders in different fields if they can hardly write their own names. How do we expect them to value, appreciate and encourage education if they themselves do not have a G12 certificate or its equivalent as a minimum? Should people with no education manage things like CDF which is currently at about K1.3 million, and when this money is mismanaged we blame councils of corruption or misappropriation.

If one does an analysis of how much money has gone into constituencies from the time CDF was introduced to date for example and relate it to the developments that have taken place in these areas from those monies, in most areas one would realize that there are serious disparities. This fact has constantly been highlight in the Auditor General's reports among others.

Unfortunately, because some of the politicians have no education yet they want to remain in the corridors of power, they want to pull the country backwards so that everybody can be like them.

Sadly, even government and civil society leaders including some media houses have ganged Can we take a survey and compare with other countries that are seemingly doing well in Africa (like Kenya) and beyond and check the minimum qualification for their political officer holders. Having an educated council for example can help such a council come up with business plans and proposals that are able to raise revenue and reduce this dependence on central government for funding. How many council' workers go unpaid? Should this continue?

When you listen to our parliamentary debates how much inspiration do you get as a Zambian? Rather than seek to turn off the candles of others one should seek to switch on their own candle and ensure light- The message is simple, get an education and stop embarrassing us leaders! Like begets like, if we sink so low are to embrace ignorance and defend it as a country then we should be ready to have more drop outs from schools. And they will all have good enough excuses why they did not finish school yet someone else in similar or even harsher conditions finished secondary school and have a certificate because they valued it.

As a country, let us not make changes merely to accommodate failure; rather lets encourage those below to aspire upwards for the betterment of our beloved country. The discussion should now be how can we introduce night school or other means to ensure that those who are older and wish to obtain G12 Certificate are able to learn and write their exams to get this qualification not repealing the law to accommodate failure and ignorance. Its shameful!

*LUSAKA TIMES*Zambia needs educated leaders-ChansaApril 17, 2016

The National Action for Quality Education in Zambia says Zambia needs to be governed by politicians who have attained reasonable education. Mr Chansa said leaders must be champions of quality education. In a statement, Mr Chansa access to quality education in Zambia has over the years been a huge challenge, especially for children from economically disadvantaged families.” This mammoth problem has been there despite some notable investments in the sector.NAQEZ therefore feels encouraged when the republican president strongly pledges to ensure that quality education is availed to all eligible Zambian children,” Mr Chansa said.“We welcome this pronouncement and want to implore the two ministries of education to help realize this dream by recruiting more Teachers and Lecturers, constructing more Schools and Universities, purchasing school computers as well motivating Teachers.” Mr Chansa said his organisation commends President Edgar Lungu for emphasizing the importance of education by refusing to side with few individuals who have not been

comfortable with the grade 12 constitutional requirement for those wanting to run for political office.

“On this important score, the president needs a lot of support by all forward-looking
Zambians,” he said Opinion: Dissecting the Grade 12 Certificate in the Constitution



Zambian Politicians Panic as School Qualification Requirement is Enforced

It came as surprise to the nation but it wasn't so to the 158 Members of Parliament (MP) who sit in the Zambian legislature.



A photoshopped photo of Mr Mwamba in a graduation gown

Towards the end of 2015, MPs debated and voted for the Constitution of Zambia Amendment Bill which ushered in a number of new electoral rules that took effect on 5th January, 2016 One of those regulations is the requirement for all people aspiring to contest as President, Members of Parliament or Local Councilors to have a Grade 12 certificate. This certificate is obtained after a pupil sits for examinations after studying the senior secondary school curriculum. For example, Article 70 (4) states that a person is eligible to be elected as an MP if they have obtained a minimum qualification of a Grade 12 certificate or its equivalent. This new regulation has sent many politicians into panic as they are generally seen not to be well educated.

Recent media reports even indicated that some parliamentarians have approached the presidency to try intervene on their behalf but in the end President Edgar Lungu assented to the bill to make it into law.

Fr. Bwalya's Face book status Kasama Central MP Geoffrey Mwamba (above), a former Minister of Defence and now an opposition strongman, is widely believed not to possess the Grade 12 certificate and young people on social media have been mocking him as a result. Despite technically still being a ruling Patriotic Front (PF) lawmaker, Mr Mwamba, who is popularly known as GBM and is one of the richest businessmen in the country, picked up a position in the opposition UPND as party Vice President, a move that has made him an enemy within his party. PF Chairman for Information Frank Bwalya was one of the first people to mock Mr Mwamba saying the lawmaker actually dropped out before reaching Grade 12. The Catholic Priest, who practiced journalism before joining fulltime politics a few years ago, took to social media to allege that the Kasama Central lawmaker was actually a Grade 6 drop out.

"...GBM is infact a Grade six term three drop out at Chifwani Primary School in Kasama," wrote Fr Bwalya on his Facebook page PotpherTembo's Facebook status

Fr Bwalya is not the only one who has taken to social media to talk about the alleged little education Mr Mwamba allegedly has. Several youths on Facebook have been posting a photo shopped photo of Mr Mwamba in a graduation gown with an inscription that he is eligible to run for Parliament later this year when general elections are held on 11th August. But on 6th January, Mr Mwamba held a press briefing in Lusaka where he mocked the ruling party and confirmed he had a Grade 12 certificate and was ready to re-contest his seat during the general elections. "I can't wait for the filing of nominations so that I can prove that am qualified beyond the needed Grade 12 certificate. This issue was raised in 2011 but those who thought [former President Michael] Sata had no degree were shocked to learn he had the qualifications," said Mr Mwamba as his supporters cheered in agreement. But according to records at the National Assembly of Zambia (Parliament), the Kasama Central lawmaker entered his details for secondary school.

The website (left) confirms that he is a Form V, the older version of Grade 12 which was used in the old school curriculum. And some 'brave' politicians also took to social media to confirm that they had the certificates and were ready to contest the forthcoming polls. The Deputy Mayor of Zambia's Capital city Lusaka was one of the first people to unveil his education qualifications.

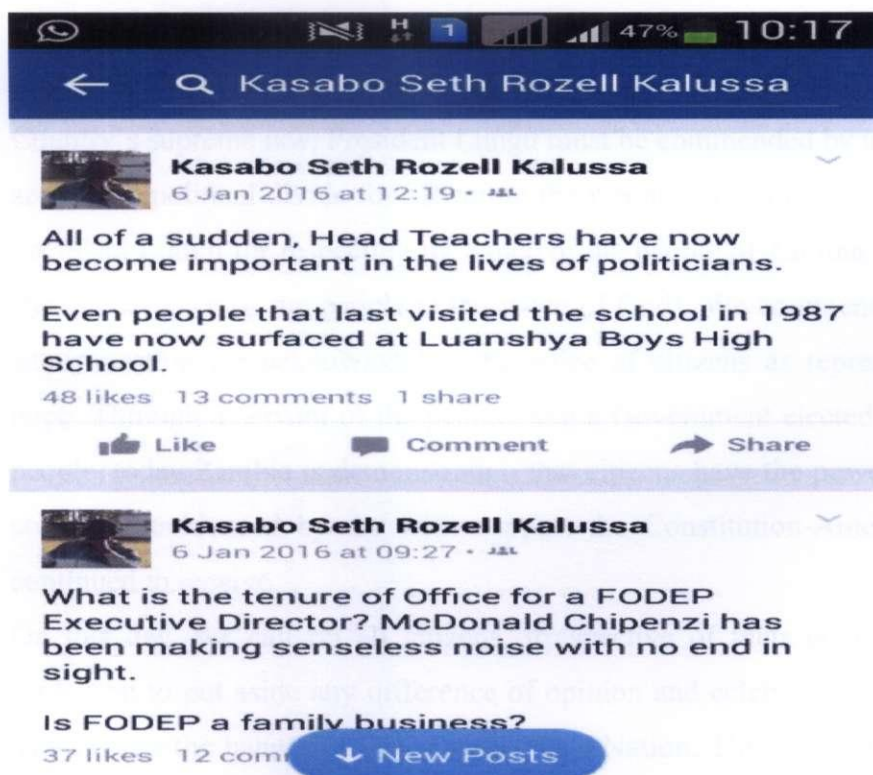
Potpher Tembo, who is a Councilors for Chawama Ward Three, announced to his supporters that he was well above the requirement. "I have a full Grade 12 certificate 1994 intake Nyimba Secondary School 12Y. Am also a holder of qualifications in Journalism, Banking,

Counseling, Diplomacy, Leadership and an honorary doctorate in Political Science,” stated MrTembo (see above right).

Zambia Redemption Front President KeliWalubitaJr also disclosed his credentials:.

“A number of our great leaders in the world and even in this country at local and even parliamentary levels have done far greater things and achieved more success than our so-called educated people.”But this is not the first time the issue of education qualifications has become a topic of debate just before a general election in Zambia.

Prior to the 2011 general elections, a similar situation unfolded where the MMD government, through the National Constitution Conference (NCC), pushed a for the qualify highest office in the land. recommendation for a presidential candidate to have AS a first degree for them to



Another screenshot about politicians

The NCC was a body made up of MPs, civil society and other interest groups which was reviewing the Zambian constitution to try and adopt a new one.

To some observers, this proposal was aimed at barring then opposition leader Michael Sata who was rumored not to have a degree.

In the thick of things, Mr Sata disclosed that he had over the years acquired two degrees under distance education.

This prompted the degree clause to fall off during the NCC deliberations.

Mr Sata later beat the MMD during the elections on 20th September, led Zambia for three years until his death in October 2014.

Paul Shalala

Share:PF Media Weighs In on Constitution Day

Evans Mulenga | January 5, 2016

Below is a statement by Sunday Chanda

TODAY, HISTORY WILL BE MADE AND IT BELONGS TO THE PEOPLE – SUNDAY CHANDA, VICE CHAIRPERSON, PF MEDIA AND PUBLICITY COMMITTEE

Lusaka, Zambia, 5TH January 2016 – Today is a very important day in the life of the nation, Zambia as His Excellency Mr. Edgar Chagwa Lungu, President of the Republic of Zambia fulfils a promise he made, on behalf of the ruling Patriotic Front (PF), to the Zambian people. With the signing of the Constitutional Amendment Bill of 2015 as part of the Country's supreme law, President Lungu must be commended by all well-meaning Zambians across the political divide for affirming the promise of Zambia's democracy. We commend President Lungu for respecting the voice of the people of Zambia. Indeed "Vox Populi, Vox Dei" (The voice of the people is the voice of God). We commend President Lungu and his administration for acknowledging the voice of citizens as representing Zambia's greatest hope. Through a servant of the people, and a Government elected by the people and for the people, today Zambia is demonstrating that citizens have the power to change this country's course as evidenced by the wide support the Constitution-Amendment Bill of 2015 has continued to receive.

On this day, we call on all citizens, irrespective of their ethnicity, political or religious affiliation to put aside any difference of opinion and celebrate the Zambian spirit that binds us all under the banner of One Zambia, One Nation. This is because while President Lungu and the PF should be commended for honouring the promise, this day and its historic nature belongs to all the Zambian people, past, present and future, including those who fought tooth and nail in order that the Constitution Amendment Bill does not succeed. We must consider that to be water under the bridge because today is about joining hands across respective divides to celebrate the Zambian spirit represented by voices captured by the Chona Commission, the Mvunga Commission, Mwanakatwe Commission, Mung'omba Commission and indeed the Silungwe Commission.

Lastly, we wish to emphasize that while there has been discussions on the processes in the recent past, those on either sides of the debate must now respect the voice of the people which is coming into law today. There are those of our citizens who have opted to boycott the ceremony at Heroes Stadium on flimsy grounds, it must be said that in so doing they are expressing their democratic right but in a wrong way all together. It is time to put aside any perceived and petty differences and allow Zambians to have a law they have demanded for and a promise President Lungu has kept from the point he released the final draft constitution on 23rd October 2014 as Acting President to this day. More work still remains and President Lungu will need the support of all Zambians as he remains persuaded that the country can and must deal with its constitutional challenges. This kept and fulfilled promise is the best New Year present to be given to Zambians by President Lungu.

Issued By: Sunday Chanda, Vice Chairperson, PF Media and Publicity Committee

UPND takes grade 12 certificate clause to Constitutional Court By Abigail Sitenge | Updated: 19 Apr,2016 ,13:29:42 | 2990 Views | 1

THE UPND has petitioned the Constitutional Court for interpretation of the grade 12 certificate clause in the amended Constitution. Suing on behalf of the United Party for National Development, secretary general Stephen Katuka cited the Attorney General and the Electoral Commission of Zambia as first and second respondents respectively. He stated that he sued the Attorney General, as a legal representative of the Ministry of Education which houses the Examinations Council of Zambia. Katuka also wants the court to interpret the grade 12 certificate qualification in the amended Constitution.

In an originating summons filed in the Constitutional Court registry yesterday, Katuka stated that the court must give meaning of the minimum qualification of grade 12 and give further meaning of the words contained in articles 70(1) and 128(1)(a) of the amended Constitution. "The court should interpret grade 12 education qualification in relation to other qualifications such as school certificate. Joint examination for school certificate and G.C.E 'O' levels, Cambridge Examination Board leaving certificates, London Examination Board leaving certificate, matrix and other international qualifications," Katuka stated.

He submitted that he had a chance to search the education Act. Number 23 of 2011 of the Laws of Zambia but that he had not been able to find any section which deals with grade 12 as a qualification for any purpose in terms of education in Zambia.

Katuka wants the court to further give meaning on the minimum qualification for a candidate aspiring to be Republican president, vice-president, member of parliament, mayor, council chairperson and councillor. He has further asked the court to order that the verification of

education qualification certificates be done at the district level through the education officers in the presence of security officials. Katuka, who is being represented by lawyers Jack Mwiimbu, Mumba Malila, Martha Mushipe, Keith Mweemba, among others, is also seeking any other relief the court might deem fit. <http://www.postzambia.com/news.php?>

Women peacekeepers cheer United States

GRADE 12 QUALIFICATION OKAY – NGOCC

MWAPEMWENYA, Chongwe

THE Non-Governmental Co-coordinating Council (NGOCC) executive director Egwase Mwale says the amended constitutional requirement for one to at least have a grade 12 certificate to qualify for political office, will enhance intellectualism that Zambia needs to develop. Speaking in an interview, Ms Mwale said, however, Article 70 clause 2 (d) of the amended constitution has immediate disadvantages, especially for women who may want to contest in the forthcoming elections. “If we look at it in the positive way, the article will help in the social and economic development of the nation. This simply means that no-one will be left behind in terms of development because people will have a balanced understanding of national affairs,” Ms Mwale said. She has since asked Government to play a pivotal role in providing equal education opportunities for both rural and urban communities. Ms Mwale said people living in rural areas should also have access to quality and affordable education to motivate them to complete their education. “This should not leave out people living with disabilities because they also have a right to education and also to aspire for political office. Government should look at strategies that promote equality in service delivery,” she said. Zambia is a signatory to various international treaties, which demand equity and equality provisions of education. Therefore, it is important that people are not deprived of the right to education

Deputy Minister of Gender Dorothy Kazunga said Zambia is still making strides in attaining the SADC and African Union protocols of equal representation in decision-making positions. “We want to have a society that prioritises equal representation in decision-making positions. The President has set a good example by appointing many women in key decision-making positions. Government believes that men and women are equal partners in all spheres of development,” Ms Kazunga said. Ms Kazungu was speaking when she officially opened a two-day national conference for 10 political parties themed, ‘Putting women at the centre of 2016 general elections’ The conference organised by the Ministry of Gender with financial support from the Department for International Development attracted over 100 participants from various political parties.

CHAPTER 3: METHODOLOGY

3.0 RESEARCH DESIGN AND METHODS

3.1 INTRODUCTION

The following section focuses on the research methodology employed in order to analyze and explain theoretical explanations of the of conflict emanating from the up- scaling of the minimum qualification among political leaders from being twenty one years and Zambian to a grade 12 certificate or its equivalent qualification at Lusaka City Council. This chapter provided a description of the research methods employed to answer the research questions. It then went on to describe the research instruments, sample size and sampling methods. Sample size and selection that will be used during this research were discussed, followed by validity and reliability of findings. There after the data collection methods and analysis were discussed, after which limitations of the research were provided.

3.2 RESEARCH STRATEGIES, TYPE AND DESIGN

Borg and Gall (1989) define research design as a process of creating an empirical test to support or refute a knowledge claim. Ghost (1992) states that a research design is an arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure. The study employed a descriptive research design, which is a fact- finding approach. The design also allowed the researcher to conduct in depth open interviews in order to understand the experience particular of a situation.

Bless (1987) defined quantitative approach as procedures that use numerical values to describe data. Quantitative approach is more formalized in nature as explicitly controlled, with a more carefully defined scope. This approach was aimed at examining generally accepted explanations of phenomenon and is more structured and controlled in nature.

The study basically proposed to use non-experimental investigation because it was descriptive in nature. This is because the study was conducted in uncontrolled setting of the Lusaka City Council . This research design was preferred for this particular study as it did not focus on one single case. It instead it focused on all responses received from the sample. A case study of Lusaka City council will be used to describe the conflict emanating from the the introduction of the grade 12 certificates qualification /equivalent as a minimum entry for any political position. Arguments on why a case study was adopted as the methodology are provided below.

3.1.1 ARGUMENT FOR CHOICE OF STRATEGY

(Yin, 2003) defines a case as an empirical investigation into phenomenon that is of a relatively new occurrence within a defined context. The author goes on to explain that a case

study include several variables that are of interest to the research. The data collection requires multiple sources that are supported by theory as the nature of a case is that it is not generalizable but can only be generalized to theoretical propositions and not population as is the case in statistical research requiring multiple sources of evidence that are supported by theory that guides the collection and analysis of data.

The case study was selected because it allowed for an in-depth investigation into the phenomenon of the conflict emanating from the introduction of the grade 12 certificate / equivalent qualification for one to stand for any political position in Zambia . The case study further had multiple variables of interest, which included influencing factors that could have lead to establishing the type of conflict that exists in the context in which it will be studied. As per the requirement to qualify to be a case, the phenomenon under study was time bound in order to fully study if there were any results or changes in the adoption process by political parties or any defections.

The time period was from the time the amended constitution was signed till the adoption date enabling the researcher to not only describe the phenomenon but to also assess the changes that were expected in the context and also try to link if there is a relationship between the minimum qualification and development .The research tried to do this by looking at the developmental projects under constituency development fund and the ward fund. from the period 2013 to 2016 It is for this reason that a single case study was selected as the type of research and the type of case study as descriptive.

3.2 STUDY AREA AND POPULATION

A population refers to all members of a real or hypothetical set of people, object, events to which one wishes to generalize the results of research (Borg and Gall, 1979). The total population of Lusaka is 2.1 million (CSO report 2010) This Study was only limited to Lusaka City Council management . political leaders(former councilors 2010-2015) , and residents from ten wards

3.3 SAMPLE SIZE

A sample is a small proportion or a subset of the whole that is to be investigated and whose findings can be generalized to the entire population that has the same characteristics.

The sample consisted of Councilors thirty (30) and Management forty (40) from the Town clerk, and city residents forty(40) drawn from 10 wards

3.4 .SAMPLING PROCEDURES

Collins et al (2009) defines sampling as a process by which a sample is drawn from a comprehensive list of all units or elements. Sampling refers to the population from which they were chosen.

Probability method was used which involved simple random selection to ensure that each unit of the sample was chosen on the basis of chance. This study used simple random sampling because the population members were similar to each other. The research used this methodology because it ensures a high degree of representativeness

| TARGET POPULATION | SAMPLE SIZE | INSTRUMENT | SAMPLING METHOD |
|--------------------------------|-------------|---------------------------------|-----------------|
| Ward Councilors | 30 | Interview guide /secondary data | Random |
| Lusaka City Council Management | 39 | Semi structure Questionnaire | Random |
| Town Clerk | 1 | Questionnaire | Random |
| Residents from ten wards | 40 | Semi structured Questionnaire | Random |
| TOTAL | 110 | | |

3.4. 1 VALIDITY AND RELIABILITY

(Joppe 2000:1) in (Golafshani, 2003) “Validity determines whether the research truly measures that which it was intended to measure or how truthful the research results are. In other words, does the research instrument allow you to hit "the bull's eye" of your research object? Researchers generally determine validity by asking a series of questions, and will often look for the answers in the research of others.

In order to ensure validity, the indicators were drawn from the literature that was studied in the second chapter in order to truly and correctly measure the variables of the research.

Validity is the extent to which the research instrument gave the correct answer whereas reliability was the extent to which a measure produced the same answer however and whenever it was applied, (Kirk and Miller, 1986)To further ensure validity, that is the credibility of the finding in the case selected a triangulation was undertaken to reflect on the findings and to consider alternative interpretations of the finding.(Joppe 2000:1) in (Golafshani, 2003) defined reliability as “the extent to which results are consistent over time

and an accurate representation of the total population under study is referred to as reliability and if the results of a study can be reproduced under a similar methodology, then the research instrument is considered to be reliable.

This research dealt with the perception of respondents about the introduction of the minimum requirement for one to stand as a political position. Reliability was ensured by triangulation of data through the use of different sources. Triangulation within the case study was done through conducting interviews with the stakeholders that are involved in local governance, the councilors and community member through conducting interviews with respondents from the local authority.

Secondary data was obtained from reports and the constitution. Further, questionnaires will be distributed among the different stakeholders.

3.5 DATA COLLECTION METHODS

3.5.1 PRIMARY DATA

Primary data was collected both qualitatively and quantitatively. According to (Bryman, 2012)“the approach tends to be much less structured in qualitative research. In quantitative research, the approach is structured to maximize the reliability and validity of measurement of key concepts. It is more structured because the researcher has a clearly specific set of research questions that are to be investigated. The structured interview guide was designed to answer these questions. Instead in qualitative research, there is an emphasis on greater generality in the formulation of initial research ideas and on interviewees own perspectives.” Therefore, qualitative data was collected through semi structured interviews/in -depth interviews with key informants from the local authority precisely those that are part of governance. In-depth interviews were done with the community members, councilors and management.

The data was collected using the following techniques:-

- a) Oral Interviews Guide They allow for follow-up for clarification on questions asked in the questionnaires for the Councilors and also used on some householders who are illiterate.
- b) Self-Administered Questionnaires These were used to collect data from the Management and community members. This technique was used to give the Management and community members enough time to answer the questions in their free time.

The questionnaires contained both open and closed questions. This was necessary so that as much information as possible would be captured.

SECONDARY DATA was sourced from the Desk review for both the published and unpublished data concerning the conflict emanating from the introduction of the grade 12 certificate / equivalent as a minimum qualification.

3.6 DATA ANALYSIS

Data analysis refers to the process of using specific procedures to work through data collected (Collins et al, 2002). Data analysis involved summarizing and presenting quantitative data using numerical values. The quantitative data was analyzed using SPSS whilst qualitative data was analyzed using subjective methods; specifically the analytical method where responses will be grouped in themes will be employed.

3.7 LIMITATIONS.

The main limitation was time in which the data was collected. Only 4 weeks had been assigned for field research yet required to undertake several interviews in order to gather adequate information.

With regard to internal validity, random sampling. Another limitation this study has never been done before in Zambia

CHAPTER FOUR

4.0 RESEARCH FINDINGS

This research arose as a result of the amended constitution on the up- scale of the education requirement for political leaders to a minimum of a grade 12 certificate and its equivalent .This chapter focused on reporting the findings collected during field research that lasted 4 weeks. It also focused on analyzing the data collected and provision of answers to the Research questions, which are;

1. What conflicts is emanating from the up scaling the minimum education requirements to a grade 12 certificate or its equivalent for civic leaders to be eligible for adoption and election.
2. What type of conflict has arisen from the introduction of the new minimum educational requirements for civic leaders to be eligible for adoption and election?
3. What is the perception of civic leaders/ local authority staff on the up scaling of the minimum educational requirements for eligibility?
4. Is there a direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects

In this chapter, the above questions are answered using a case study of Lusaka city council on the amended constitution

4.1 DATA PRESENTATION,INTERPRETATION AND ANALYSIS

4.1.1 DEMOGRAPHIC DATA

4.1.2 GENDER

Table 1

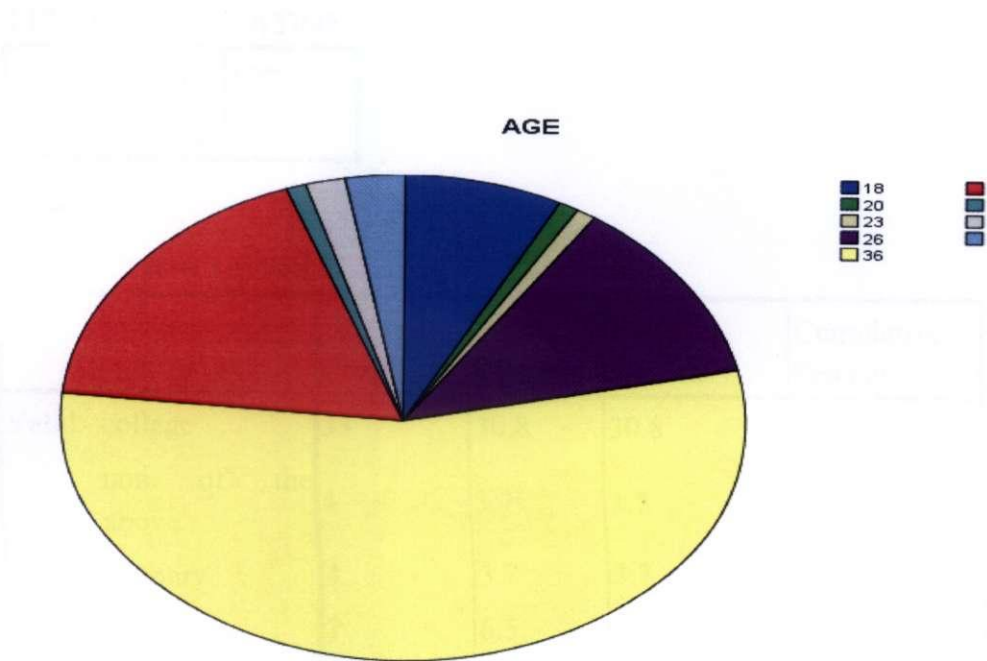
| | | |
|---|---------|-----|
| N | Valid | 107 |
| | Missing | 0 |

RESPONDENTS GENDER

| | Frequency | Percent | Valid Percent | Cumulative Percent |
|--------|-----------|---------|---------------|--------------------|
| Valid | 1 | .9 | .9 | .9 |
| Female | 33 | 30.8 | 30.8 | 31.8 |
| Male | 73 | 68.2 | 68.2 | 100.0 |
| Total | 107 | 100.0 | 100.0 | |

The sample size included Former Ward councilors,Lusaka City Council management and residents from the ten randomly selected wards representing the seven constituencies. The survey revealed that 33 (30.8%) were female 73(68.2%) where male and 1 (.09)did not answer

4.1.3 AGE



RESPONDENTS AGE

The survey revealed that the 10(9.3%) were between 18 -25 years , 13(12.1%) were between 26-33 years were 59(59.1%) between 34-41 years and 22(20.6%) were between 42-49 and 3(2.8%) were between 50-57 years old . The survey also revealed that most the respondents were aged 36 years and the average age was 35.8 years

4.1.4 MARITAL STATUS

Table 3

MARITALSTATUS

| | Frequency | Percent | Valid Percent | Cumulative Percent |
|----------------|-----------|---------|---------------|--------------------|
| Valid Divorced | 5 | 4.7 | 4.7 | 4.7 |
| Married | 76 | 71.0 | 71.0 | 75.7 |
| Single | 23 | 21.5 | 21.5 | 97.2 |
| Widowed | 3 | 2.8 | 2.8 | 100.0 |
| Total | 107 | 100.0 | 100.0 | |

The survey revealed that 5(4.7%) of the sample size was divorced ,76(7.1%) married , 23(21.5%) single and 3 (2.8%) widowed .

4.1.4 . WHAT IS YOUR LEVEL OF EDUCATION ?

Table 4

LEVEL OF EDUCATION

| | | |
|---|---------|-----|
| N | Valid | 107 |
| | Missing | 0 |

EDUCATION LEVEL

| | Frequency | Percent | Valid Percent | Cumulative Percent |
|------------------|-----------|---------|---------------|--------------------|
| Valid college | 33 | 30.8 | 30.8 | 30.8 |
| non of the above | 4 | 3.7 | 3.7 | 34.6 |
| primary | 4 | 3.7 | 3.7 | 38.3 |
| secondary | 7 | 6.5 | 6.5 | 44.9 |
| trade school | 7 | 6.5 | 6.5 | 51.4 |
| university | 52 | 48.6 | 48.6 | 100.0 |
| Total | 107 | 100.0 | 100.0 | |

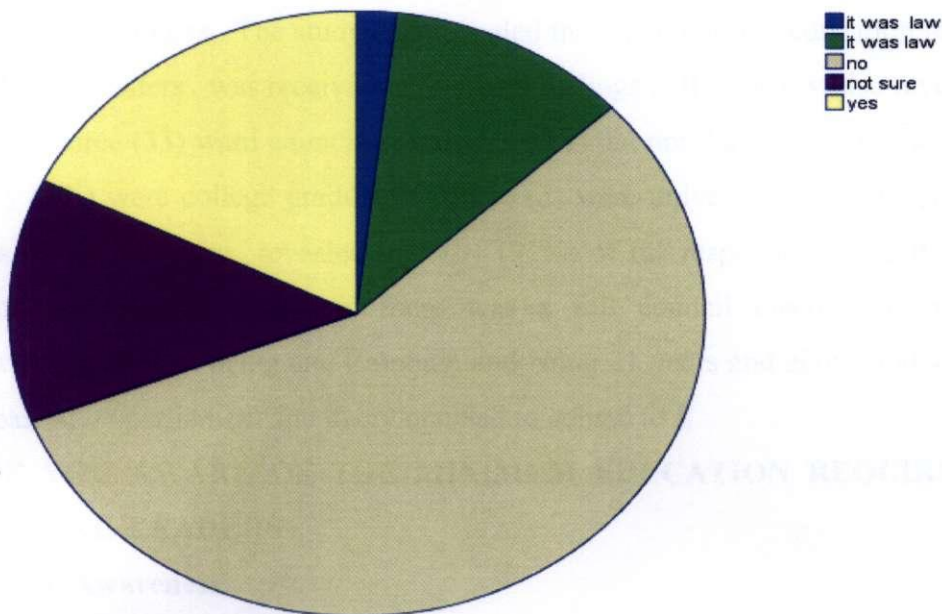
The survey revealed that 33(30.8%) were college graduates ,4 (3.7%) did not have any qualifications ,4(3.7%) went as far as primary education ,7(6.5%) went as far as secondary school , 7(6.5%) went to trade schools and 52 (48.6%) were university graduates .

WHERE THERE ATTEMPTS TO MAINTAIN THE QUALIFICATIONS RECEIVED AMONG CIVIC LEADERS AT YOUR INSTITUTION (LUSAKA CITY COUNCIL)

ATTEMPTS TO MAINATAIN THE MINIMUM EDUCATION REQUIREMENTS

| | | |
|---|---------|-----|
| N | Valid | 107 |
| | Missing | 0 |

ATTEMPTSTOMAINATINTHEMINIMUMREQUIREMENTS



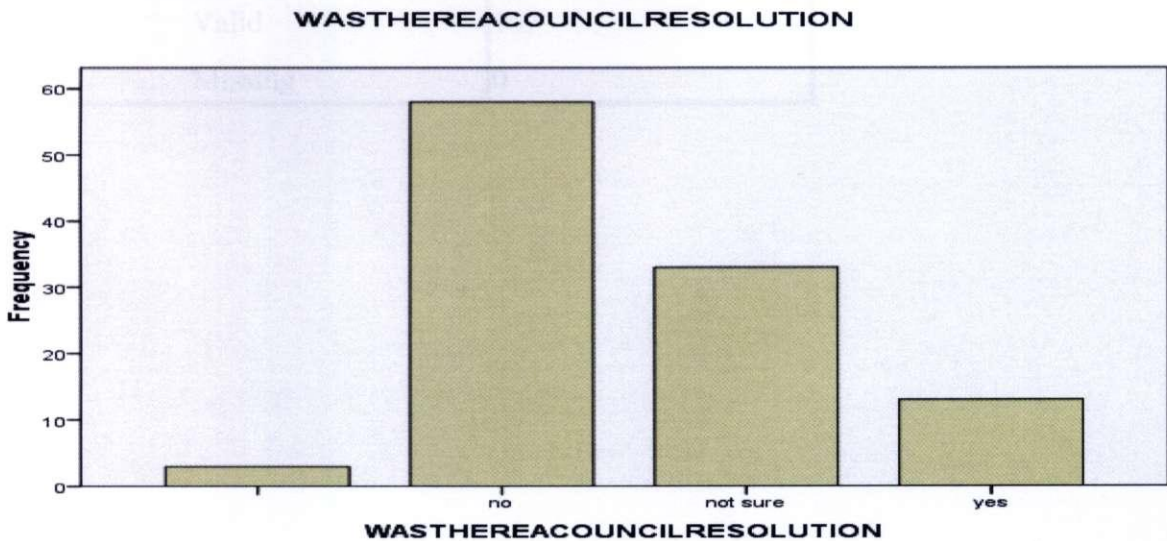
The survey revealed that there were no attempts to maintain the minimum education requirements . 54.2% of the respondents said that there were attempts to maintain the the minimum education requirement and 13.1% said they were not sure , 29.9% said No and 2.8% did not respond

3.WAS THERE FULL COUNCIL TO MAINTAIN EDUCATION REQUIREMENTS FOR POLITICAL LEADERS IN

Statistics

WASTHEREACOUNCIL
RESOLUTION

| | | |
|---|---------|-----|
| N | Valid | 107 |
| | Missing | 0 |



The survey revealed that there we no attempt to maintain it and there was no council meeting and minutes . The study also revealed that the minimum education requirements for the political leaders was received with mixed feelings . the survey also revealed that from the thirty three (33) ward councilors only ten (10) did not have a grade twelve certificate , twenty (20) were college graduates , three (3) were university graduates and two(2) had trades The survey also revealed that 101 (91%) of the respondents said there was no full council and 9(8.1%) and said there was a full council meeting to maintaining the qualifications to just being and Zambian and being 21 years and above and 1(0.9%) the law was passed by parliament and every one had to adhere to it

4.ARE YOU AWARE OF THE MINIMUM EDUCATION REQUIREMENT FOR POLITICAL LEADERS

Figure 4 ,Awareness

AWARENESS

| | Frequency | Percent | Valid Percent | Cumulative Percent |
|----------|-----------|---------|---------------|--------------------|
| Valid No | 3 | 2.8 | 2.8 | 2.8 |
| Yes | 104 | 97.2 | 97.2 | 100.0 |
| Total | 107 | 100.0 | 100.0 | |

The survey revealed that 107 (97%)respondents were aware of the amended clause and 3(3%) were not aware The survey also revealed that from the 107(97%) who were aware of the amended constitution 50% were male and 50% were females .

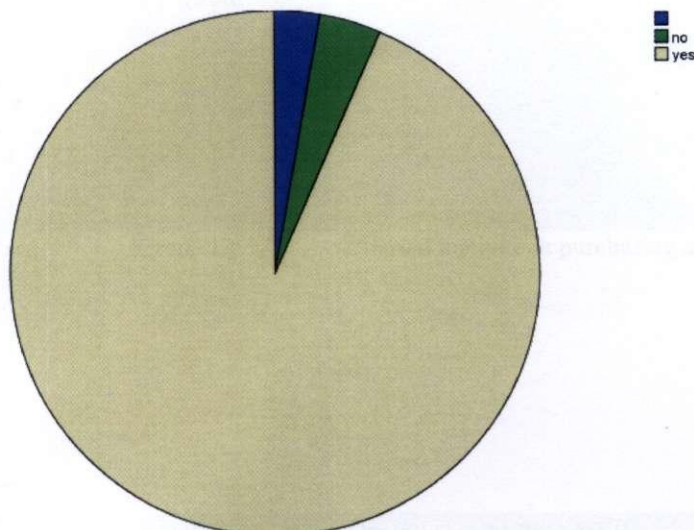
5. ARE YOU OF THE OPINION THAT CIVIC LEADERS WITH A MINIMUM EDUCATION OF GRADE 12 ARE BETTER ABLE TO REPRESENT THEIR WARD THAN THOSE WITHOUT

Statistics

OPINION

| | | |
|---|---------|-----|
| N | Valid | 107 |
| | Missing | 0 |

OPINION



The survey revealed that 88 (97%) respondents said Yes and 22 said No . The survey also revealed that some of the benefits of having the minimum education requirement of a grade 12 certificate or better. 33% said broader understanding of urban issues , 36% said easy adaptability and 32% said more accomplished problem solvers .

6.IN YOUR OWN OPINION HOW DO YOU THINK HAVING A GRADE 12 CERTIFICATE OR ITS EQUIVALENT INFLUENCES DECISION MAKING IN LOCAL AUTHORITIES .

Decision-making is influenced by the understanding of issues. Education influences the scope of understanding issues and decision making . Decision making in local authorities borders on cross cutting issues that are related to social, economic, political, environmental and technical issues. Hence one with a certificate is likely to be more articulate. They are likely to appreciate the importance of a vision, strategic development and the importance of monitoring developmental projects.

At grade 12 one is enlighten with regards to best practices in the areas of governance and accountability of the cities resources. Therefore one is able to compare the activities with those obtaining elsewhere.

Others felt the clause maybe controversial but having leaders with a grade 12 certificate / its equivalent does not necessarily translate into intelligence or indeed being a good leader.

IS THERE A DIRECT RELATIONSHIP BETWEEN HAVING A GRADE 12 CERTIFICATE OR ITS EQUIVALENT AND ACHIEVING THE PLANNED WARD DEVELOPMENT PROJECTS?

| | | | | |
|-----------------------|-------------------|----|---|---|
| Mulungushi | Grade certificate | 12 | Diploma electronics degree in development studies | Drainage maintenance Construction and rehabilitation of ablution block Construction of box culvert in mulungushi road |
| Roma Ward | Grade 12 | | Chartered institute in purchasing and supply | Gravelling of roads Road rehabilitation Cleaning of drainages Installation of ceiling board at constituency office |
| Kabulonga | Grade 12 | | Degree in civil engineering | Graveling of roads Distilling and drainage clearance Road rehabilitation Construction of footbridge and culvert |
| ibwa | Grade12 | | Sales management | Borehole drilling and installation of stand and water reticulation at longarces market Distilling and construction of storm water drainage |
| Harry Mwanga nkumbula | Grade 12 (GCE) | | Certificate in thology | Drainage maintenance |
| Kamulanga | Grade 12 | | Certificate in accounts , food AAD beverage certificate | Graveling of roads |
| Chilenje | N/A | | Computer programme operator and certificate in short hand | Gravelling of roads Construction of bridge and culvert , drainage spreading and compacting |
| Libala | Grade 12 c | | National accounting certificate building technology | Construction of culvert , bridge and drainage Construction of wall fence at Mkandawire basic |
| Kabwata | N/A | | Basic prosecution , electrical technician | Cleaning drainages Drainage maintenance Construction of speed humps |

| | | | |
|-------------|-----------|---|--|
| Kamwala | N/A | Degree in physical therapy | Rehabilitation of Kamwala school |
| | | | Installation of light bases |
| | | | Culverts in libala |
| | | | Construction of wallfence a mtendere basic |
| Lilayi | Grade 12 | Certificate in chemical technology | Construction of water reticulation stand |
| John haward | Grade 10 | General agriculture | Drainage maintenance |
| | | | Distribution of work suits |
| | | | Gravelling construction of market shed |
| Chaisa | Grade 12 | Certificate in administration | Maintenance of drainage works |
| | | | Gravelling of roads |
| | | | Drilling of borehole a junction |
| | | | Construction of foot bridge and Culverts |
| | | | Drainage cleaning |
| Ngwerere | Form thee | Elements in distribution and calculation | Rehabilitation of ablution block |
| | | | Gravelling of roads |
| Matero | Grade 12 | Advanced certificate in computer studies / purchasing and supplying | Gravelling of roads |
| Mwembeshi | Grade 12 | Certificate in accounts and business banking and finance | Graveling |
| | | | Construction of storm drainage and culvert |
| | | | Construction of bridge along Victoria road |
| Lima | Grade 12 | n/a | Graveling |
| | | | Construction of culverts in lima |
| | | | Improved drainage |
| | | | Foot bridge and culvert |
| Munkolo | Grade 12 | Programmes in accounts | Drainage maintance |
| | | | Construction of ablution block Bayani |

| | | |
|---------------|-------------|--|
| Raphael Chota | Grade nine | Rehabilitation and fabrication and extension of chipata police pot |
| | | Construction of chipata police post |
| | | Drainage widening deepening from NHA |
| | | Gravelling of roads |
| | | Construction of foot bridge |
| | | Widening drainages |
| Nkoloma | Grade seven | Newly constructed misisi police post |
| Justine Kabwe | Form thee | Construction of drainage and stone pitching nkomrsha road |
| | | Construction of drainages |
| | | Construction of Marapod police post |
| Silwizya | | Drainage maintenance |
| | | Rehabilitation of northmeac primary school |
| | | Rehabilitation of chozi road |

The survey revealed Lusaka City Council had a total of 33 ward councilors only 12 did not possess the grade 12 certificates. Four were degree holders and only 8 had not been to secondary education. the rest had certificate and diplomas in different disciplines .The survey revealed that there was a relationship between those in possession of a grade 12 certificate / equivalent or with achieving their ward developmental projects .Most of them implemented a number of ward developmental projects from the period 2013 to 2016 . psacharopoulos et.al (2004) study on human capital and rates of return , they urged that educational quality (Measured by cognitive skills) has a strong impact on individual efficiency and effectiveness moreover education has a strong and robust influence on economic growth with truly causal relationships while Finne and Meng (2002) established the same in Canada

The survey revealed that the adoption process was from ward level and then submissions were made at constituency level .candidates were not adopted based on the grade twelve certificate because of the Kabwe ruling .the survey also revealed that after the kabwe ruling candidates who did not possess the grade 12 certificate or its equivalent but had a trade were called for a two day workshop to sensitize them on the eligibility to stand . However it was too late for some political leaders because they had filed in their nominations without attaching other certificates the survey also revealed that candidates who were not in good terms with the party structures regardless of their education qualifications were not adopted . from the thirty three councilors only three were re adopted to contest for the 2016 general elections . the study also revealed that there was a lot of corruption from ward to constituency level . some candidates were not able to pay for their adoption due to financial changes

CHAPTER FIVE (5)

5.1 INTRODUCTION

This research was aimed at accessing the conflict emanating from the scaling up of the minimum education requirement for political leaders on the management of Lusaka city council

In order to provide answers to whether there was any form of conflict the following questions were posed;

1. What type of conflict has arisen from the introduction of the new minimum educational requirements for civic leaders to be eligible for adoption and election?
2. What is the perception of civic leaders/ local authority staff on the up scaling of the minimum educational requirements for eligibility?
3. Is there a direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects
4. Identify the challenges Lusaka City Council members of staff may face due to the lack of the grade twelve (12) certificate qualification / its equivalent

5.1 PROBLEM AND EMERGENCE OF RESEARCH QUESTION AND SCOPE

This research came about as a result of the Amendment Bill which ushered in a number of new electoral rules that took effect on 5th January, 2016 .One of those regulations was the requirement for all people aspiring to contest as President, Members of Parliament or Councilors to have a minimum of a Grade 12 certificate from no educational requirement . There was been much debate about the issue of grade 12 Certificate or equivalent as a requirement for one to vie for political office. For example, Article 70 (4) states that a person is eligible to be elected as an MP .if they have obtained a minimum qualification of a Grade 12 certificate or the equivalent. The up scaling of minimum educational requirements seemed to have been received with mixed views by the civic leaders, local authority staff and the general population. Since the establishment of this minimum education requirement . We are not certain on the conflict emanating from it among civic leaders. It was for this reason that it became of interest to assess the conflict emanating from the upscale of the educational requirements for all political leaders. the perception of the political leaders , management and community was assessed .This research further sought to assess whether

there was direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects.

5.2.0 RESPONSES TO THE RESEARCH QUESTIONS

5.2.1 What type of conflict has arisen from the introduction of the new minimum educational requirements for civic leaders to be eligible for adoption and election?

The minimum education requirement was received with mix feelings. Leaders who had a grade twelve certificate or better were happy and supported the idea and those that did not have were not happy. This led to some of the political leaders not being adopted by their political leaders for the forthcoming general elections. Some of the leaders that were not adopted, either stood as independent candidates or defected to the opposition parties. Power conflict was identified as the conflict that was emanating from the introduction of the minimum education requirement. This is because it occurs when each party wishes to maintain or maximize the amount of influence that it exerts in the relationship and social setting. It is impossible for one party to be stronger without the other being weaker at least in terms of direct influence over each other. This power struggle usually ends in victory and defeat or in a standoff with a continuing state of tension (Mitchell 2012). Economic Conflict was also identified. Those with money were able to stand. According to Fisher (2000), Economic Conflict involves competing motives to attain scarce resources. Each party wants to get the most that it can and the behavior and emotions of each party are directed towards maximizing its gain. There was a challenge of interpreting the clause

5.2.2 What is the perception of civic leaders/ local authority staff on the up scaling of the minimum educational requirements for eligibility?

Most thought it was a good idea because with regards to best practices in areas of good governance and accountability of the cities resources, hence one was able to understand and compare what was obtaining elsewhere and adapt the suitable practices for their cities. Some a grade 12 is able to read and write, they will be able to read available literature and will improve on their understanding of local governance. People educated are able to understand, appreciate and express themselves easily therefore making them accomplished problem solvers. Some pointed out that merely attaining a grade 12 status doesn't create a platform for one to learn more complex theories and strategies. It is not an end in itself

5.2.3 Is there a direct relationship between having a grade 12 certificate or its equivalent and achieving the planned ward development projects?

The survey revealed Lusaka City Council had a total of 33 ward councilors only 12 did not possess the grade 12 certificates. For were degree holders and only 8 had not been to secondary education. the rest had certificate and diplomas in different disciplines .The survey revealed that there was a relationship between those in possession of a grade 12 certificate / equivalent or with achieving developmental projects . Most of them implemented a number of developmental projects in their wards such as construction of bus shelters ,rehabilitation of roads , construction of foot bridges , construction of ablution and class rooms blocks for schools, construction of youth center , construction of health care rehabilitation of police posts and construction of market sheds and vegetable stands . From a total of 21 councilors with a grade twelve certificates 7 did not even implement any developmental projects the whole of 2015(Lusaka City Council ward development project report ;2015).Some of the councilors that did not possess the grade 12 certificate / its equivalent did not implement developmental projects instead the ward fund was used for cleaning of drainages , procurement of working tools .

5.2.4 Identify the challenges Lusaka City Council members of staff may face due to the lack of the grade twelve (12) certificate qualification / its equivalent

The survey revealed that some of the challenges that Lusaka City Council management was likely to face due to lack of the grade12 certificate or its equivalent qualification by political leaders, It was difficult for them to understand the basic procedures and local governance. leaders without education have difficulties in articulating issues to do with local governance and their reasoning is low Decision making is influenced by understanding of issues because decision making in local authorities borders on cross cutting issues that relate to economic , social political environment and technical matters. having a grade 12 certificate / its equivalent influences decision making in a positive way since the leaders understanding and articulation of permanent matters will be better and broadened , broadens their scope of decision making as it exposes the leaders to different decision making tools. In my opinion, our youth must have compulsory lessons on political education before they leave their higher studies, we never know, maybe one of them will be our future prime minister or president. Today's generation always strives towards democracy and leadership, while giving them

proper political educative scenario, we can encourage them more to tackle the emergence in their later life. It is more important for students to learn about the political system at school rather than rely on the words or views of current politicians. Education is an enlightening experience. Education is a highly desired trait and is needed very desperately to build a better nation. But it can't be a qualifying point for publicly elected representative. Well, one of the Worlds' most respected and famous politician in recent times was President Lula of Brazil and of course, he was a workshop laborer. The main priority of education is persons' growth, morally and by etiquette. In this fast developing world every person should be equipped with the knowledge and technology to compete. Education is the supreme source for the development of humans. Even to understand the on-going latest changes in the law making dictions, the politician has to improve their educational qualifications.

5.3 LINK BACK TO LITERATURE BASED ON THE FINDINGS OF THE CASE

Based on data collected, it can be said that the introduction of the grade 12 certificate / its equivalent for political leaders was a plus to the local governance system because participative governance will be achieved this is because of decentralized policy of relinquishing power and responsibility to local authorities and these political leaders are the main decision makers when it comes to policy direction. Zambians felt that they needed leaders that were able to understand the basic policies and were able to participate in governance when it came to decision-making. This would help in the development of the country. Human Capital Theory predicts that increases in the overall level of education can benefit society in ways that are not fully reflected in the 'private returns' of educated workers, what is otherwise referred to as the 'externalities of education'. For instance, social groups, communities or countries where the average schooling is higher offer, as a rule, better living conditions, both material and non-material, than those where the population is less educated (Villa, 2000).

The study also revealed that they were leaders that were adopted and did not possess the grade 12 certificate / its equivalent. This was possible because only a judiciary that has integrity and is competent, independent, and efficient can protect the rights of citizens and deliver equal justice. It is, therefore, imperative that we look at the factors that can help ensure that competence; integrity and efficiency are the hallmark of a judicial system. We must remember that, as Reginald Smith observed: "without equal access to the law, the

system not only robs the poor of their only protection, but it places in the hands of their oppressors the most powerful and ruthless weapon ever created” (Smith, 1919). The Zambian High Court on May 2016 passed judgment in a recently passed contentious requirement that sought aspirants to political office to produce a Grade 12 certificate – the highest high school qualification in the country. Some scholars urged that to expect a country with MPs and councilors without grade 12 to steer Zambia into a developed country was utopic. While it is true that Zambia is a developing country and has many of its population uneducated, both the educated and uneducated agree that good representation in the world like ours can best be represented by people with a minimum of a grade twelve certificate or its equivalent. In Turkey, article 101 of the constitution of Turkey specifies that the president of Turkey shall have completed higher education this is the same as in Kenya, India and Uganda, be at least forty years of age, and be a member of the Turkish grand national or a Turkish citizen eligible to be a deputy. The requirements for the latter are given by Article 76, and exclude, among others, persons who have failed to perform compulsory military service, and those who have been convicted for dishonorable offences. Judges, civil servants, and members of the Armed forces are not eligible unless they resign from office.

5.4 GENERAL CONCLUSION ON THE RESEARCH

Therefore it can be concluded that the conflict emanating from the introduction of the grade 12 certificate / its equivalent on the management of Lusaka city council.

- I. The constitution should be a people driven process, most people did not understand the implication of the amended clause to include a minimum educational requirement for political leaders
- II. To some extent there is a relationship between having academic qualifications and achieving ward developmental projects because one will be able to make informed decisions that will be of benefit to the ward
- III. The council needs leaders that are able to understand the processes, policies and regulations that govern it like the urban and country Act and will have a better understanding of the resource use. (Haus and Klausen, 2010) define urban or political leadership as democratically elected position holders who are selected by the citizens. Leaders provide for community involvement through broad inclusiveness to increase

transparency on development decision-making and implementation. Leaders are also responsible for the mobilization of resources for development and provision of feedback to the community. This then requires an emphasis on transparency and accountability in not only the decision making process for development but also in resource allocation and use.

But in the case of Lusaka city council the conclusion could be scored below

- I. The Patriotic Front political leaders mainly dominated Lusaka city council; it only had one UNPD councilor. The introduction of the grade twelve certificate brought conflict because from the thirty-three councilors only three were adopted by the Patriotic front leaving out even those that were eligible. This has brought political conflict and some have joined the main opposition party UPND and some are standing on independent tickets in the forthcoming elections
- II. Leaders that did not have the necessary qualifications felt marginalized. It resulted in intragroup conflict .it is a type of conflict that happens among individuals within a team. The incompatibilities and misunderstandings among these individuals lead to an intragroup conflict. It arises from interpersonal disagreements or differences in views and ideas .(e.g. the introduction of the grade 12 certificate qualification as a minimum requirement for political leaders .) some councilors found the amended clause to be erroneous due to their differences in opinion. Within a team, conflict can be helpful in coming up with decisions which will eventually allow them to reach their objectives as a team. However, if the degree of conflict disrupts harmony among the members, then some serious guidance from a different party will be needed for it to be settled.

5.5 DIRECTION FOR FUTURE RESEARCH There are opportunities to research on the effects of the conflict emanating from the introduction of the grade twelve certificates on political leaders. It was too early to look at the effects because this clause was recently signed and is just being implemented. There is also an opportunity to research on the types of leadership that exists in governance . Other areas of possible research include comparative studies with other countries on the minimum education requirements for their political leaders .Other possibilities of research could venture into types and styles of leadership in community development decision-making processes.

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