## DEFYING A DICTATOR: WILDLIFE POLICY IN ZAMBIA'S SECOND REPUBLIC, 1972-1982

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A precipitous fall in the price of copper significantly decreased the Zambian government's revenues in 1975. To counteract these losses, the government pursued monetary policies that fueled inflation. Incomes dwindled. Many Zambians chose to augment their incomes by entering the market for wildlife products. As a result, a wave of poaching swept through Zambia as hunters killed animals for trophies and meat.

Coincident with the wildlife crisis, Zambia switched from a multiparty to a one-party system of government, concentrating power in the President. President Kaunda and his closest advisors became the dominant policymakers in Zambia at the expense of other government and party officials. Similar to the politics of other African one-party states, Kaunda's proposals sailed through party and parliament, whose members feared the President's considerable power.

But President Kaunda faced consistent opposition to his wildlife policy. The incentives generated by the new economic and political institutions encouraged members of both the Party and government to sabotage Kaunda's call for stiffer penalties and broader regulation. From 1972-82 President Kaunda attempted to stem the illegal hunting of animals by threatening potential poachers with the loss of their government or party jobs, circumventing normal bureaucratic channels to increase anti-poaching activities, appointing strong individuals to key political positions, pushing for a new government agency to investigate poaching crimes and introducing stronger anti-poaching legislation to the National Assembly. Most conservation interest groups firmly endorsed Kaunda's efforts. Members of both the National Assembly and the ruling United National Independence Party (UNIP) government, however, strongly resisted policy change. UNIP cut the National Parks and Wildlife Service budget deeply. Parliamentarians succeeded in blocking and watering down Kaunda's proposals to alter wildlife laws.

The fate of wildlife in Zambia challenges conventional wisdom about politics under African one-party states. One-party presidents, despite their extensive constitutional powers, do not always achieve their policy preferences. One-party parliaments are not always moribund. One-party parliamentarians do represent their constituents on some issues. And one-party elections can make a difference in the composition of national assemblies and the behavior of its members. This paper uses the case of wildlife policy in Zambia from 1972-1982 to demonstrate that certain configurations of economic and political institutions can create incentives that induce politicians to resist successfully the power of a one-party president.

This paper contains five sections. Section one analyzes the institutions of the one-party state and their effect on policymaking. As the head of both government and party, President Kaunda emerged as the dominant policymaker in the Second Republic. The second section describes the decline of the Zambian economy, and the simultaneous rise of the wildlife trade. The increasing relative value of wildlife products encouraged a wide cross-section of Zambians to participate in the wildlife market. Section three depicts the nature of political competition over wildlife policy at this time. The groups favoring conservation lay outside UNIP's core support; those opposed to conservation occupied every level of party and government. Under such circumstances, not even Kaunda's vast powers could restrain increases in illegal hunting. Kaunda's interactions with government and party members exemplified a principal-agent relationship, and his powers of monitoring and enforcement could not overcome the particularly strong incentives of individuals to use wildlife to their advantage. Section four focuses on the particular response of parliamentarians to Kaunda's calls for more wildlife protection. parliamentary battle over a 1982 amendment to wildlife law illustrates the impact of political and economic institutions on wildlife policymaking during this period. The paper's conclusion discusses the structure of incentives faced by Zambian politicians with regard to wildlife policy, the constraints on their choices and their resultant strategies. These results indicate deficiencies in our understanding of the political dynamics of the one-party state. The paper closes with an analysis of the features of wildlife policy that encouraged the formation of effective parliamentary opposition to the preferences of a one-party president.

## 1. Zambia's One-Party State

#### Political institutions

The United National Independence Party government entered the 1970s flush with revenue generated by the highest copper prices in Zambia's history. Despite such fortune, electoral losses to the African National Congress (ANC) and United Progressive Party (UPP) in the 1968 elections threatened the political hold of the ruling party. To prevent the further erosion of its support, UNIP banned all formal opposition: President Kaunda announced the establishment of a one-party state on 25 February 1972.

Both the 1973 Republic of Zambia and UNIP constitutions concentrated power in the ruling party generally, and in the president specifically. Party structures were supreme over their counterpart government bodies, thus the secretary general of the Party outranked the prime minister. While the cabinet managed the daily affairs of government, the Central Committee (the executive committee of the Party) deliberated and adopted policies before sending them on to the cabinet for implementation. Government bureaucracies could advocate policy positions, but the Central Committee possessed the authority to make national policy.<sup>3</sup>

As head of both state and party, the president dominated national politics. His constitutional powers included the appointment of the secretary general of the Party and the prime minister. The President chaired and nominated members to the Central Committee, and appointed all cabinet ministers and district governors, the key party officials at the district level. The President became the chairman of the Zambia Industrial and Mining Corporation (ZIMCO), the state holding company, and thus selected a large number of senior management and board

<sup>&</sup>lt;sup>1</sup>Eugenia West, "The Politics of Hope" (Ph.D. dissertation, Yale University, 1989), p. 51.

<sup>&</sup>lt;sup>2</sup>See Cherry Gertzel, Carolyn Baylies and Morris Szeftel, "The Making of a One-Party State" in Gertzel, Baylies and Szeftel <u>The Dynamics of the One-Party State in Zambia</u> (Manchester: Manchester University Press, 1984).

<sup>&</sup>lt;sup>3</sup>A diagram of the structure of government and party bodies in the Second Republic can be found in P.E. Ollawa, <u>Participatory Democracy in Zambia</u> (Elms Court, Great Britain: Arthur H. Stockwell, 1979), p. 263.

members in the parastatal sector.<sup>4</sup> Finally, the President had the right to detain any person without trial under the Preservation of Public Security Act. When exercising any function conferred upon him by the constitution, the president "was not obliged to follow the advice tendered by any other person or authority."<sup>5</sup>

Zambia's single party system allowed for only one candidate to stand for the office of president during general elections. The candidate, to be chosen by the UNIP's General Conference, had to receive the majority of votes cast. The constitution imposed no term limits.

While the formal powers and procedures of the National Assembly remained the same on paper, the rules governing election to parliament changed to allow UNIP greater control over National Assembly members.<sup>6</sup> Under the one-party state, parliamentarians elected from single-member districts expanded from 105 to 125, with the president allowed to appoint another ten members. Candidates also had to pass through primary elections before running for parliament. To contest primaries, candidates had to be members of UNIP, and had to pay a refundable 25 kwacha deposit and obtain signatures from nine registered voters. An electoral college consisting of all party officials at regional, constituency and branch levels in the parliamentary constituency voted during primaries. The electoral college then forwarded the three candidates with the highest votes to the Central Committee for confirmation or rejection for the general election.<sup>7</sup> If the Central Committee removed a candidate, the next highest vote-getter took their place.<sup>8</sup> For general elections, the party-approved candidates paid a 50 kwacha nonrefundable fee and gathered the signatures of another nine registered voters in their constituency. The local

<sup>&</sup>lt;sup>4</sup>Nsolo Mijere, "The State and Development," <u>Africa Today</u> (Second Quarter 1980): 21-25. Constitution of Zambia, Article 53(2).

<sup>&</sup>lt;sup>6</sup>Chapter three details the rules governing parliamentary elections as well as its powers.

<sup>&</sup>lt;sup>7</sup>Republic of Zambia, <u>The Electoral Act of 1973</u> (Lusaka: Government Printer, 1973). See also Idem., <u>Constitution of Zambia Act 1973. 75 (3)</u>.

<sup>&</sup>lt;sup>8</sup>The Central Committee enjoyed the power to reject any individual whose candidacy was considered "inimical to the interests of the state." See <u>UNIP Manual of Rules and Regulations</u> <u>Governing the 1973 General Elections</u> (Lusaka: issued by the Central Committee, n.d.).

district governor and party officials had the responsibility for conducting the campaigns of all the three candidates.

Policymaking in the one-party state

The centralization of power in the office of president made Kaunda the most important policymaker in Zambia. His addresses to UNIP General Conferences, National Council and Central Committee meetings, as well as his announcements from State House, included major and minor policy decisions. Government and party officials generally accepted these statements as policy directives.

Most scholars model Zambian decision-making at this time as a process in which other groups merely reacted to the decisions reached by Kaunda and a small coterie of advisors. The President appeared unwilling or unable to delegate authority, discouraged independent actions by reversing decisions made by others and used his considerable arsenal of patronage to reward compliance with his decrees. Those politicians seeking to rise to the top of the party "did best by striving to emulate the preferences of its leader."

Scholars generally find the Zambian National Assembly had comparatively little influence over policy. UNIP held credible threats over the political careers of current and aspiring parliamentarians: local UNIP officials ran campaigns, the Central Committee vetted dissenting parliamentarians and Party officials decided on the distribution of government largesse. Most research asserts that while some parliamentarians occasionally used their seats to express displeasure at government schemes, members did not "change the content or direction of

<sup>&</sup>lt;sup>9</sup>See Ollawa, <u>Participatory Democracy in Zambia</u>, p. 284, Marcia M. Burdette, <u>Zambia</u>: <u>Between Two Worlds</u>, p. 75; West, "The Politics of Hope," p. 108.

<sup>&</sup>lt;sup>10</sup>Ibid.

<sup>&</sup>lt;sup>11</sup> Robert H. Bates and Paul Collier, "The Politics and Economics of Policy Reform in Zambia," in Robert H. Bates and Anne O. Krueger eds. <u>Political and Economic Interactions in Economic Policy Reform</u> (Cambridge, MA: Blackwell Publishers, 1993), p. 405.

government policy."<sup>12</sup> Like other one-party state legislatures, most scholars consider the Zambian National Assembly during this period as "residual" to the policymaking process.<sup>13</sup>

# 2. The Demise of the Zambian Economy and the Rise of Poaching Zambia's economic decline

At the time of independence in 1964, Zambia boasted one of the highest per capita gross national products in Africa. The Zambian government's ability to finance its ambitious industrial, agricultural and social spending outlined in the First and Second National Development Plans depended mainly on the receipts from only one source: copper. Although real copper prices dropped 25% in 1971-72, the warning did not motivate the government to develop alternate sources of income: from 1970 to 1975 copper accounted for an average of nearly 30% of the country's gross domestic product (GDP) and 40% of government revenue. Together with cobalt, copper represented over 90% of the country's export earnings.<sup>14</sup>

Consequently, the plunge of world copper prices in 1975 undermined the government's developmental goals. Copper lost 40% its value, its terms of trade fell by 50%, and its contribution the Zambian GDP fell to 13% the same year. Copper prices never fully recovered, confining real GDP growth to an average of 0.3% from 1974-85.

In an effort to stave off declines in consumption levels, the government curbed its expenditures and accumulated debt.<sup>16</sup> These policies led to inflation: Zambia's annual rate of

<sup>&</sup>lt;sup>12</sup>William Tordoff, "Residual Legislatures in African One-Party States," <u>Journal of Comparative and Commonwealth Studies</u>, 1977: p. 241.

<sup>&</sup>lt;sup>13</sup>Ibid.

<sup>&</sup>lt;sup>14</sup>Marcia Burdette, <u>Zambia: Between Two Worlds</u> (Boulder, Colorado: Westview Press, 1988), p. 102.

<sup>&</sup>lt;sup>15</sup>Ibid. See also Doris Jansen, <u>Trade. Exchange Rate and Agricultural Pricing Policies in Zambia</u> (Washington DC: World Bank, 1988), p.4.

<sup>&</sup>lt;sup>16</sup>By 1984 Zambia was the most indebted country in the world relative to its GDP. See Bates and Collier, "The Politics and Economics of Policy Reform in Zambia," pp. 388-389.

inflation averaged 17.3% from 1975 to 1985, and reached 37% by 1985, compared with only 6% from 1964 to 1974.<sup>17</sup>

The economic crisis caused by the decline of copper prices reverberated throughout Zambia's economy. While copper production shrank to an average -2.7% growth rate during 1975-84, the agricultural sector also staggered due to the combination of drought and government policies that favored urban consumers over rural producers.<sup>18</sup>

The combination of inflation, decreased world copper prices and decreased producer prices for maize played havoc with rural incomes. Producer prices for maize, which accounts for over 70% of marketed agricultural production in Zambia, declined an average of 50% from 1975-1984.<sup>19</sup> Evidently, the price offered by the government fell below the market clearing price, as surveys made during this period indicate many rural households quit producing for the market.

Accounting for an overvalued exchange rate and government pricing policies, Jansen estimates that smallholder incomes dropped 58% per year from 1974-83.<sup>20</sup> The terms of trade for rural residents also fell precipitously in 1979: bartered fish and charcoal received only 70% of the goods received seven years earlier.<sup>21</sup>

<sup>&</sup>lt;sup>17</sup>In contrast, the inflation rate averaged only 6% over the period 1964 to 1974.

<sup>&</sup>lt;sup>18</sup>Eugenia West, "The Politics of Hope" (Ph.D. dissertation, Yale University, 1989), p. 51. Accurate data for total agricultural output before 1982 does not exist. While the total amount of agricultural production marketed through government fell considerably, this does not take into account the large degree of smuggling that occurred: border prices for maize from the early 1970s through the 1980s generally exceeded government's guaranteed producer prices. See also Jansen, <u>Trade</u>. Exchange Rate and <u>Agricultural Pricing Policies in Zambia</u>, p. 87. The ILO estimated 60% of marketed agriculture was smuggled out of the country. See United Nations International Labor Office (hereafter ILO), <u>Zambia</u>: <u>Basic Needs in An Economy Under Pressure</u> (Addis Ababa: United Printers, 1981), p. 127.

<sup>&</sup>lt;sup>19</sup>Jansen, <u>Trade. Exchange Rate and Agricultural Pricing Policies in Zambia</u>, p. 88. This figure takes into account the effects of both direct and indirect intervention.

<sup>&</sup>lt;sup>20</sup>Ibid.,p. 191.

<sup>&</sup>lt;sup>21</sup>ILO, Zambia: Basic Needs in An Economy Under Pressure, p. 23.

Urban incomes also declined, despite the positive effect of maize meal subsidies on urban consumers. Formal employment declined 2.4 % from 1975 to 1980, despite a nearly 40% increase in the urban population.<sup>22</sup> High income urban residents averaged income losses of 13.2% from 1975-1985. Poorer urban residents' faced income declines ranging from 1.6% to 2.1% for the same period.<sup>23</sup> Civil service workers, who represented approximately two-thirds of all formal sector employment, saw prices outrace government wage increases.<sup>24</sup>

Nearly all Zambians experienced income losses during this period; many individuals chose to supplement their incomes by hunting wildlife.

#### The rise of the wildlife market

Almost simultaneous with the collapse of Zambia's domestic economy, several international forces combined to foster a thriving trade in wildlife products. The flush of petrodollars from the Organization of Petroleum Exporting Countries' (OPEC) successful cartel and increasing incomes in some Asian countries stimulated demand for animal products, especially elephant ivory and rhinoceros horn. Decreased incomes within Zambia also stimulated the domestic market in game meat. As a result, hunting activity in Zambia expanded dramatically.

<sup>&</sup>lt;sup>22</sup>Cherry Gertzel, "Dissent and Authority in the One-Party State," in Cherry Gertzel, Carolyn Baylies and Morris Szeftel, <u>The Dynamics of the One-Party State in Zambia</u> (Manchester: Manchester University Press, 1984), p. 82.

<sup>&</sup>lt;sup>23</sup>Jansen, <u>Trade. Exchange Rate and Agricultural Pricing Policies in Zambia</u>, p. 195. See also Government of Zambia Prices and Incomes Commission <u>Pilot Household Budget Survey</u>. 1982: <u>Some Preliminary Findings</u> (Lusaka: Government Printer, 1986).

<sup>&</sup>lt;sup>24</sup>ILO<sup>24</sup> ILO, Zambia: Basic Needs in An Economy Under Pressure, p. 130.

Ivory prices dramatically increased beginning in the early 1970s, multiplying six-fold by the late 1980s.<sup>25</sup> In response, hunters killed 75% of Zambia's elephants from the late 1960s through 1989.<sup>26</sup> In Zambia's Luangwa Valley alone, poachers shot an estimated forty percent of the elephants from 1972 to 1979.<sup>27</sup> Others calculate a sixty percent fall from the period 1975-1986.<sup>28</sup> While Zambia exported ten million dollars worth of legally documented ivory from 1979-1988, nearly \$172,800,000 left illegally.<sup>29</sup>

Strong international demand ignited a similar explosion in the prices, trade and hunting for rhinoceros horn, except the price for rhino horn exceeded ivory by a factor of ten.<sup>30</sup>

<sup>&</sup>lt;sup>25</sup>Estimates for the actual world price of raw ivory vary tremendously, and are based on different data and assumptions. Prices also varied across exporting African countries as the wave of poaching swept through Africa at different rates. On the basis of legal import and export documents, Barbier et al assert that the world ivory price hovered around \$60 per kg. from 1979-85, then exploded to \$120 in 1987 and \$300 in 1989. See Edward Barbier et al, Elephants. Economics and Ivory (London: Earthscan Publications, 1990) p. 4. Ian Parker claims that some ivory had passed \$120 a kilo in 1978. See Iain and Oria Douglas-Hamilton, Battle for the Elephants (New York: Viking, 1992), p. 127. The price for a kilogram of ivory probably increased six-fold from the mid 1970s to late 1980s.

<sup>&</sup>lt;sup>26</sup>Calculated from Barbier et al, <u>Elephants. Economics and Ivory</u>, p. 2 and a UNEP/IUCN/WWF study. See also G. Caughly and J. Goddard, "Abundance and distribution of elephants in the Luangwa Valley, Zambia," <u>East African Wildlife Journal</u> 13 (1975): 39-48. It is important to note that estimates of elephant populations are notoriously inexact and hotly contested, and NPWS collected little data during this time period.

<sup>&</sup>lt;sup>27</sup>Douglas-Hamilton and Douglas-Hamilton, <u>Battle for the Elephants</u>, p. 175.

<sup>&</sup>lt;sup>28</sup>G.B. Kaweche, F. Munyenyembe, H. Mwima, F.B. Lungu, and R.H.V. Bell, <u>Aerial Census of Elephant in the Luangwa Valley</u> (LIRDP Report No. 1, 9 March 1987), p. 1.

<sup>&</sup>lt;sup>29</sup>I base my calculations on a ivory price of \$75 per kilogram, and a average pair of tusks weighing 9 kilograms. See Barbier et al, <u>Elephants. Economics and Ivory</u>, p. 5.

<sup>&</sup>lt;sup>30</sup>Demand for rhino horn stems from its use in Yemeni dagger handles and Asian medicines. Inskipp and Wells (1979) estimate that rhino horn sold for \$27 a kg. in 1975, and \$675 in 1978. In China, a kilogram of African rhino horn cost \$16,304 in 1989. Asian rhino horn, which is smaller and therefore considered more potent, sold for \$54,000 per kg. in Taiwan in 1990—more than the price of cocaine in Miami (World Wide Fund for Nature, <u>Campaign Report</u>. (Washington D.C.: WWF, April 1991).

Zambia experienced some of the heaviest rhino poaching on the continent.<sup>31</sup> Robinson estimates that 50,000 black rhinos lived in the Luangwa Valley in 1972.<sup>32</sup> The horn size of rhino noticeably decreased in 1978, and NPWS reduced the hunting quota for the species. By 1981, only 2000 rhino were left in the Valley.<sup>33</sup> Probably fewer than a dozen survive today.<sup>34</sup>

Zambia's economic decline also stimulated a market for game meat, a significant part of many Zambians' diets, especially in rural areas.<sup>35</sup> After 1975 hunters seeking game meat killed

<sup>&</sup>lt;sup>31</sup>Heavy rhino poaching began in the 1970s and, over the next twenty years, hunters killed 85% of all rhinos in Africa and Asia. Some 100 tons of rhino horn have been traded in international markets from 1970 to 1987, equivalent to 40,000 animals. Over 95% of the African black rhino population has been slain since 1970.

<sup>&</sup>lt;sup>32</sup>S. Robinson, "Saving the Rhino: Zambia's fight against big-time poaching," <u>Black Lechwe</u> no. 1 (1981): 7-9. Stuart Marks, among others, thinks this estimate to be extremely high. (Personal communication with Stuart Marks, 7 April 1993.)

<sup>&</sup>lt;sup>33</sup>Ibid.,pp. 8-9.

<sup>&</sup>lt;sup>34</sup>NPWS officers believe a only handful survive today, and the survivors probably do not compose a viable breeding population. Interview with Edwin Matokwani, Wildlife Ranger, Nyamaluma Training Center, Mfuwe, Zambia, July 1991.

<sup>&</sup>lt;sup>35</sup>The United Nation's Food and Agricultural Organization (FAO) reported that game meat costs considerably less than beef in Africa, and claimed 13.4% of the annual amount of protein consumed in Zambia (around 3.7 kg. per person) was in the form of game from 1974-1977. See Robert Prescott-Allen and Christine Prescott-Allen, What's Wildlife Worth? (London: IIED, 1982), p. 15. Marks calculates that, in certain parts of Zambia's Munyamadzi corridor, where domesticated animals cannot live due to tsetse fly infestation, the average adult annually consumed 91 kgs. of game meat in the early 1970s, or about 5-10% of the weight of all food consumed. See Stuart Marks, Large Mammals and a Brave People (Seattle: University of Washington Press, 1976), p. 204. Abel and Blaikie estimate that residents of game management areas around the South Luangwa National Park hunt enough to supply every resident with 20 kg. of game meat annually. See Nick Abel and Piers Blaikie, "Elephants, People Parks and Development: the Case of the Luangwa Valley, Zambia," Environmental Management (10) 6 (1986): 735-751.

species such as buffalo, hippopotamus, lechwe, warthog and impala in unprecedented numbers.<sup>36</sup>

## The response of the National Parks and Wildlife Service

The escalating relative value of wildlife products like ivory, rhino horn and game meat made poaching an attractive activity to Zambians. After 1975, due to the enormous cuts in the budget of the National Parks and Wildlife Service (NPWS), poaching became a less risky strategy as well. NPWS never possessed the manpower or the finances to enforce Zambia's wildlife laws. In the mid 1970s, NPWS had drastically less resources.<sup>37</sup>

The NPWS budget received some of the largest reductions of any government department in the period following the 1975 copper shock.<sup>38</sup> While the government's total expenditures fell an average of 6.7% from 1975-1978, NPWS's dropped by an average of 23% each year.<sup>39</sup> The NPWS portion of total government expenditure from 1970 to 1974 averaged nearly .5%.

Little research exists regarding the returns to meat poaching in Zambia, a trade uninterrupted during this century. One small survey, however, does illustrate its potential returns. In 1972 NPWS sponsored a project carried out by the Zambian National Food and Nutrition Program to study the behavior of subsistence hunters in three game management areas of the Luangwa Valley. The project found that hunters obtained an average of 440 kg. of meat per year, with a total worth of between 135 and 200 kwacha (in comparison, a cook for a safari company could expect to earn 35 kwacha per month). Since licenses cost only 75 ngwee (1 kwacha =100 ngwee), the possible return on investment was around 20,000%. With such incentives, it is not surprising NFNP estimated the total amount of animals killed exceeded those hunted legally by 55%. It is also instructive to note that NFNP completed this survey before Zambia's economic decline. Hunting pressure on animal populations probably increased in subsequent years.

<sup>&</sup>lt;sup>37</sup>As discussed in the last chapter, the operative wildlife law was contained in Capital Law 316 of the Laws of Zambia, passed as the National Parks and Wildlife Act of 1971.

<sup>&</sup>lt;sup>38</sup>Only the Ministry of Education's departments experienced greater financial reductions. See Republic of Zambia, <u>Financial Reports</u> (Lusaka: Government Printer, 1975-1980).

<sup>&</sup>lt;sup>39</sup>The Department of Fisheries was removed from the NPWS budget in 1975, no doubt accounting for some of the decline in spending on wildlife in that year. However, a pattern of deep cuts continued even after the Fisheries split off as a separate identity: the NPWS budget was cut 9.2% in 1976, 39% in 1977, and 19% in 1978. See Republic of Zambia <u>Financial Report</u> (Lusaka: Government Printer), various years.

In the period 1975 to 1982, its share dropped to an average of .2%, and never reached higher than .3% again.

The department had enjoyed strong budgetary support from the UNIP government in the period following independence. NPWS hired hundreds of general laborers for capital projects, operated a fleet of five aircraft, sponsored internationally renowned scientific research and experimented with programs designed to demonstrate the possible economic returns of wildlife. NPWS officers gauged poaching to be localized and negligible. In 1967, the director believed that, despite the "basic motives of human nature" and the incessant conflict between agriculture and wildlife, most forms of poaching were "gradually being brought under control." In 1973 the North Luangwa National Park, soon to be a favorite hunting ground of elephant poachers, contained the country's highest density of elephant.

The collapse of copper prices and government revenues resulted in the withering of NPWS operations after 1975. In 1977 NPWS cut thirty percent of its general labor force and did not start any major capital projects. The department initiated no major scientific projects that year, mustering resources for just one animal count. Only the contributions of the Wildlife Conservation Society of Zambia, the safari companies and the Honorary Rangers sustained anti-poaching efforts. Without this support, the NPWS director believed it would have been "impossible to deal with" the increased poaching.<sup>42</sup>

In 1978, the Ministry of Finance refused to release appropriated monies to the NPWS capital account, reducing this budget, already cut by 38% in real terms from the year before, a further 50%.<sup>43</sup> The department suspended most of its capital projects.

Activities funded by the recurrent budget also deteriorated. The number of anti-poaching patrols declined since NPWS could not pay the Civil Service Commission's mandated

<sup>&</sup>lt;sup>40</sup>National Parks and Wildlife Service, <u>1967 Annual Report</u>, (Lusaka, Zambia: Government Printer, 1968), pp. 12-13.

<sup>&</sup>lt;sup>41</sup>Idem., <u>1973 Annual Report</u>, p. 6.

<sup>&</sup>lt;sup>42</sup>Idem., <u>1977 Annual Report</u>, pp. 1-4.

<sup>&</sup>lt;sup>43</sup>Idem., <u>1978 Annual Report</u>, p. 3. It is illustrative to note that this report is not professionally typeset like previous reports, but appears to be written on a typewriter.

subsistence allowance for scouts on patrol.<sup>44</sup> Only one aircraft operated at this time, down from the five used in 1974, and flying hours were almost eliminated. The department also suspended staff attendance at international conferences.

Interest groups and businesses stepped in to help fund NPWS. The Honorary Rangers, a newly formed non-governmental organization called Save the Rhino Trust (SRT) and safari companies became important financiers of anti-poaching operations. The contributions promised by SRT to the department augmented the official budget by nearly 14%. Circuit Holdings, a subsidiary of Zambia Consolidated Copper Mines (ZCCM), supported NPWS patrols near ZCCM-owned resorts (Kasaba and Nkamba Bays). But despite this injection of monies, the department continued its decline: unable to maintain its only helicopter, NPWS returned it to the Wildlife Conservation Society of Zambia (WCSZ). Critically short of funds, the department eventually encouraged safari companies to provide it with vehicles in exchange for hunting rights in certain areas (called hunting blocks). In fact, NPWS wielded so little clout that when it finally received an allocation of eight vehicles, Zambian security forces confiscated four of them for their own use. In fact, NPMS wielded so little clout that when it finally received an allocation of eight vehicles, Zambian security forces confiscated four of them

While reductions in expenditures affected all departmental activities, those requiring relatively more expensive items such as fuel, vehicles, firearms and ammunition ~ the material heart of enforcement operations — were hardest hit.<sup>48</sup> Countries that successfully protect their wildlife spend approximately \$100 per square kilometer on enforcement. Some conservationists think \$400 per square kilometer is necessary to save rhino from poachers. In 1983, Zambia

<sup>&</sup>lt;sup>44</sup>Interview with Norman Carr, Kapani Safari Lodge, Zambia, 10 August 1991.

<sup>&</sup>lt;sup>45</sup>National Parks and Wildlife Service, <u>1979 Annual Report</u>, p. 2.

<sup>&</sup>lt;sup>46</sup>Idem., <u>1984 Annual Report</u>, p. 1.

<sup>&</sup>lt;sup>47</sup>Idem., <u>1979 Annual Report</u>, pp. 2-5.

<sup>&</sup>lt;sup>48</sup>The government strictly controlled imports after the copper shock. Most of the commodities needed for anti-poaching operations were imports that other politically important groups, like industry and the security forces, also wanted.

spent \$4 per sq. km. and had a field presence of one poorly-equipped scout for approximately every 350 sq.km. of protected territory.<sup>49</sup>

The NPWS implemented new policies it hoped could meet the growing crisis without costing additional money. The NPWS directorate, for example, established a Prosecutions Unit within the department in 1979 to overcome the ineffective investigations and weak prosecution record of the Zambian police in matters concerning wildlife. While this led to a few more convictions, the increase did little to affect the extent of hunting.

#### The many faces of the Zambian poacher

Poachers in Zambia were not a small homogenous group. The increasing relative value of wildlife encouraged a wide cross-section of Zambian citizens to participate in the market, including rural and urban residents, chiefs, business owners, police and military personnel, NPWS staff and politicians.

Rural residents faced increasingly stronger incentives to hunt. Government pricing policies resulted in declining returns from agriculture. Government had cut jobs and services in the rural areas after the copper crash. With fewer opportunities to earn income, petty trade in game meat, and the benefits of alliances with ivory and rhino horn poachers, offered one way to augment a household's income.<sup>50</sup> Villagers expanded their hunting activities, made easier by the decline of NPWS enforcement; many routinely covered up commercial poachers' activities in return for meat, or consumer products like flour, sugar and cloth.<sup>51</sup>

Chiefs in rural areas also increased their hunting activities and collaboration with poachers. The traditional rulers benefited from the residual power they had over resources in the area, powers enhanced by a decline in wildlife policy enforcement. A chief often settled for

<sup>&#</sup>x27; interview with Richard Bell, Chipata, Zambia, 15 June 199L

<sup>&</sup>lt;sup>50</sup>Game meat is a substitute for domesticated meat in urban Zambians' diet. In their 1976 Annual Report, NPWS blames some of the increase of the poaching of game animals to the rise of domestic beef prices.

<sup>&</sup>lt;sup>51</sup>Many poachers worked through their extended kin who might live in rural areas.

little in exchange for his permission to hunt and the help of his assistants, sometimes just a case of beer and a leg of buffalo.<sup>52</sup>

Urban residents benefitted from the growing market for game meat. Government economic policies had discouraged or redirected a great deal of economic activity in urban areas: currency controls hurt businesses producing for the export market, inflation induced investment in enterprises with short-term production cycles and formal sector employment stagnated under government fiscal and monetary policy. The low costs of hunting and the strong demand for game meat in the cities, as well as ivory and rhino horn in the international market, made poaching a profitable response to Zambia's economic environment.<sup>53</sup> And it was relatively easy for someone in Lusaka to buy a hunting license rom NPWS headquarters in Chilanga. Hunting quickly became a valuable addition to the portfolio of many urban-based business owners after 1975.<sup>54</sup>

Members of the Zambian military and police units, also suffering from income declines, possessed the weapons and authority to support a great deal of illegal hunting activity. A 1980 report by the Zambia Wildlife Conservation Society found well-documented incidents of army personnel setting up roadblocks at game park entrances. Later, army vehicles drove away laden

<sup>&</sup>lt;sup>52</sup>According to the 1991 Anti-Corruption Commission, "Govt. and Quasi-Govt Persons Arrested for Poaching Related Offenses," (mimeograph prepared for the author) two out of the eleven names are chiefs. NPWS officers also frequently indict chiefs for running illegal hunting rings.

<sup>&</sup>lt;sup>53</sup>I conducted an informal survey of approximately 25 township residents representing 5 different sections of greater Lusaka. Each respondent asserted that game meat was plentiful in the townships and was easily purchased. Residents considered prices for game meat to be high.

A typical commercial meat operation would include a sponsor contracting with a hunter(s) to kill buffalo. The sponsor would pay for the weapons, ammunition and porters (a single buffalo needs four people to carry its sections). The meat, usually dried *in situ*, would be transported and sold in urban areas. The profit on the meat of a single buffalo equalled a university professor's monthly salary.

<sup>&</sup>lt;sup>54</sup>Interview with Richard Bell, Chipata, Zambia, 15 June 1991. Former Minister of Tourism P. Chitambala accused business "big shots" of supporting most poaching and using villagers as mere "tools." See The Times of Zambia, 7 February 1989.

with meat and tusks.<sup>55</sup> Even if not directly poaching, soldiers and police regularly allowed other Zambians to borrow, rent or purchase official weapons, transport or ammunition.<sup>56</sup>

Some Zambian politicians also exploited wildlife resources. Politicians hunted for economic profit, sport, the distribution of favors and their own consumption of game meat. The evidence available suggests a pattern of political involvement: officials made regular trips to their regions to hunt without licenses, ministers demanded licenses for themselves in excess of NPWS quotas, and district governors roamed game management areas in search of buffalo.<sup>57</sup> Politicians implicated for wildlife illegalities include a secretary-general of UNIP, district governors, parliamentarians, ministers of state, provincial members of UNIP's Central Committee, party officials and members of the Office of the President. A member of the National Assembly told colleagues that when government officials came to his constituency, it "turned into a hunting camp."<sup>58</sup>

The National Parks and Wildlife Service also sat at the center of poaching controversies. Economic decline reduced scouts' incomes, and other perquisites coming with a government job — like housing — sometimes were never allocated. The government sometimes paid salaries months late. NPWS budget cuts had reduced the number of hours spent by NPWS supervisory staff in the field. These difficulties resulted in an ineffective NPWS with little control over its own employees. Villagers, chiefs, other civil servants, safari hunters, government ministers and conservationists all decried the quantity of illegal hunting done by NPWS scouts and the

<sup>&</sup>lt;sup>55</sup>The military and police still use their influence and equipment to poach. Zambia's Anti-Corruption Commission arrested a number of policemen for poaching-related offenses. See Anti-Corruption Commission, "Govt./Quasi-Govt. Persons Arrested by SPD for Poaching Related Offenses," n.d. (but written in 1991) (Mimeograph.)

<sup>&</sup>lt;sup>56</sup>Zambian newspapers regularly include stories of police and soldiers slaughtering game in protected areas. See, for example, <u>The Times of Zambia</u>, 8 Jan 1991.

<sup>&</sup>lt;sup>57</sup>Information was provided by NPWS officers, conservationists, ministers, ministers of state and law enforcement officers. But see also <u>The Times of Zambia</u>, 22 May 1991. NPWS openly supplied political rallies with game meat, see NPWS <u>Annual Reports</u>. 1968-1973.

<sup>&</sup>lt;sup>58</sup>Zambia, National Assembly, <u>Parliamentary Debates</u>, No. 61, (13 August 1982): 4112.

trafficking in illegal trophies by NPWS officers. The department carried out few actual arrests against its own staff from 1973 to 1983.<sup>59</sup>

## 3. Political Responses to the Wildlife Crisis

International demand and domestic economic catastrophe helped create a strong market in wildlife products. A wide variety of Zambians benefitted from the new market. Budget cuts had left the NPWS weak, disorganized and unable to cope with escalating poaching activities.

Members of the UNIP government and the National Assembly knew about the alarming increases in illegal hunting; some even participated. Their political responses to this crisis, however, reflected the structure of the new political institutions of a one-party state rather than any interest in conservation or personal profit. The incentives these institutions offered politicians resulted in the sabotage of policies designed to resolve the upsurge in poaching. The structure of competition over wildlife policy

The demands of a stagnant economy absorbed most of the President's attention after 1973.<sup>60</sup> Yet Kaunda's strong interest in wildlife conservation and his position as the dominant policymaker under the one-party system led him to pursue numerous strategies to curb the growing poaching crisis.

Despite his belief that businessmen from Senegal and Mali had instigated the serious poaching in Zambia, reports from newspapers and NPWS officers convinced Kaunda that many members of his own party and government participated in the wildlife market. In an effort to mitigate their clandestine activities, he "talked a great deal about these issues" with members of the Central Committee, the Cabinet and the security forces. Eventually, he put a "blanket stop" on all hunting, legal or otherwise, by individuals on the Central Committee.<sup>61</sup>

The President's exasperation with the extent of illegal hunting grew to the point where he issued circulars in 1978 threatening to dismiss anyone in the civil service or the Party caught poaching. Many politicians thought the policy was unconstitutional, but nobody initiated a legal

<sup>&</sup>lt;sup>59</sup>The Times of Zambia. 28 November 1986.

<sup>&</sup>lt;sup>60</sup>Interview with former President Kenneth Kaunda, Lusaka, 14 August 1992.

<sup>&</sup>lt;sup>61</sup>Ibid. Also personal communication with Mike Faddy, Chinzombo Safari Lodge, 29 October 1993.

challenge. Even NPWS officers disagreed with the circular, believing that the individuals accused would be able to win easily in court.

Kaunda became increasingly disenchanted with the effectiveness of NPWS and sought various ways to circumvent the agency. Representatives of non-governmental organizations (NGOs) such as the World Wildlife Fund, the Wildlife Conservation Society of Zambia and the David Shepherd Foundation as well as international donors had no difficulty in getting appointments with the President to talk over conservation projects at State House. The President publicly supported the extensive efforts of Save the Rhino Trust, who supplied and directed intensive anti-poaching operations near two national parks using NPWS scouts beginning in 1979.<sup>62</sup>

A significant result of this open-door policy led to conservationists persuading Kaunda to back a policy that would establish a new government agency designed specifically to investigate wildlife related offenses. Ministers, SRT staff, tourist lodge owners and safari operators met with the President several times in 1982 to discuss the design and powers of the new agency, suggesting that it follow the structure of the Special Investigative Team into Economy and Trade (SITET), a unit set up during the 1970s to investigate currency and trade between Zambian and Rhodesian companies and answerable only to President Kaunda.

Kaunda used his authority over state-owned industry to bypass the "cheaters" at NPWS, instructing Zambia Consolidated Copper Mines (ZCCM) to get into the business of tourism and wildlife "because they are effective and get things done." Kaunda's directive eventually led to a ZCCM-owned safari business, ZCCM-sponsored anti-poaching patrols and the ZCCM purchase of tourist resorts at Nkamba and Kasaba Bays. Using his constitutional powers to alter the boundaries of national parks, Kaunda even degazetted part of Sumbu National Park lands to facilitate ZCCM's development plans for Kasaba Bay.

<sup>^</sup>Interviews with Norman Carr, Kapani Safari Lodge, Mfuwe, Zambia, 10 August 1991; Mike Faddy, Chinzombo Safari Lodge, Lusaka, 29 October 1993; and David Frost, former president Professional Hunters Association of Zambia, Lusaka, 23 March 1991.

<sup>&</sup>lt;sup>63</sup>Interview with former President Kenneth Kaunda, Lusaka, 14 August 1992.

<sup>&</sup>lt;sup>64</sup>Cap. 316 of the Laws of Zambia, section 8.

The President, as commander in chief of Zambia's armed forces, also directed the military to participate in anti-poaching operations. The largest military intervention occurred in 1981, when hundreds of Zambian army troops, supported by dozens of military vehicles and three helicopters, made an extensive sweep through villages in the Luangwa Valley to make arrests and confiscate weapons and wildlife products.

Kaunda did not give up entirely on his own government's bureaucracy: in an effort to strengthen wildlife legislation and its enforcement, he appointed individuals with legal experience to head the Ministry of Lands and National Resources in the early 1980s. Fitzpatrick Chuula, the former Attorney General, pushed hard for additional legislation that would increase the punishments for poaching offenses. And, unlike his predecessor, he successfully introduced such an amendment to the floor of the National Assembly. The next minister selected by Kaunda, Fabiano Chela, a former Police Inspector General, enjoyed a reputation for cleaning up corrupt government agencies.<sup>65</sup>

Despite his expanded constitutional powers and patronage resources, the President's actions had little effect on the wildlife crisis. Any policy advocated by Kaunda still depended on the support of the Party and its government for effective implementation. But wildlife conservation benefitted few in either bureaucracy. Rather than promoting conservation, government and Party members used wildlife to augment their systems of patronage.

Interest groups likely to support stronger wildlife conservation policy lay far outside the core of UNIP's support — urban residents. The Wildlife Conservation Society of Zambia's adult membership was almost entirely white and consisted of commercial farmers and businessmen, precisely those groups that the Party had fought against during independence. After 1964, the suspicion and hostility continued as white commercial farmers frequently collided with government over agricultural policy: UNIP perceived white farmers as unrestrained profiteers seeking to undermine the goals of the one-party state; white farmers, in contrast, perceived a progressively interventionist state — a state in which they had no official representation —

<sup>&</sup>lt;sup>65</sup>Personal communication with Mike Faddy, Chinzombo Safari Lodge, 29 October 1993.

<sup>&</sup>lt;sup>66</sup>I exclude the school-aged African membership.

manipulating the prices of agricultural inputs and production to hurt their economic interests. Such an adversarial relationship did little to further the Party's interest in the white farmers' concerns, like wildlife conservation.<sup>67</sup>

Other groups with strong interests in conservation included individuals associated with businesses connected to wildlife, such as lodge owners, professional hunters and game area concession holders. Like the commercial farmers, these groups were numerically small and predominately non-African. The image of these non-African business owners as profiteers only increased after the UNIP government began currency controls in the late 1970s.<sup>68</sup> tourism relied almost exclusively on wild animals and was one of the few industries that dealt directly in foreign exchange, businessmen scrambled to obtain companies related to wildlife. The competition over access to tourism and hunting enterprises intensified when the government allowed companies to retain half of the foreign exchange they earned beginning in 1983. Many NPWS and ministry staff believed the owners of wildlife-related companies consistently defrauded the government by under-reporting the foreign exchange earned and over-charging tourists and hunters.<sup>69</sup> Government and Party members resented the activities of these conservation groups.<sup>70</sup> Since their membership was non-African, many Zambians believed conservationists wanted to continue the colonial agenda of removing Africans from control over Adding to the antagonism was the NPWS perception that whites thought the department an incompetent manager of wildlife resources. Rumors of President Kaunda's search

<sup>&</sup>lt;sup>67</sup>Bates and Collier, "The Politics and Economics of Policy Reform in Zambia," pp. 391-406.

<sup>&</sup>lt;sup>68</sup>Jansen, <u>Trade. Exchange Rate and Agricultural Pricing Policies in Zambia</u>, p. 16.

<sup>&</sup>lt;sup>69</sup>Interviews with Akim Mwenya, NPWS Director, Chilanga, Zambia, 6 November 1991; Gilson Kaweche, NPWS Deputy Director, Chilanga, Zambia, 14 July 1992; Mike Faddy, Chinzombo Safari Lodge, 21 March 1991.

 $<sup>^{70} \</sup>rm Interview$  with Francis Nkhoma, former Governor of the Bank of Zambia, Lusaka, Zambia, 10 August 1992.

<sup>&</sup>lt;sup>71</sup>See the opening address of Fitzpatrick Chuula, Minister of Lands and Natural Resources, in D.B. Dalai-Clayton ed., <u>Proceedings of the Lupande Development Workshop</u> (Lusaka: Government Printer, 1984), pp. 3-4.

for a white director of NPWS, and a promise from conservationist groups to pay his salary, increased the bitterness that Zambian bureaucrats and Party members felt toward the domestic conservation movement.<sup>72</sup>

On an individual level, Party and government personnel gained little from conservation policy. It was unpopular: Zambians did not like to be excluded from wildlife resources, and thought the only beneficiaries of conservation were the whites.<sup>73</sup> And it was costly: few could afford the prices of legal safari hunting or staying in tourist lodges.

Party and government members did, however, use wildlife to reward their friends and supporters. Examples are legion: the Minister of Lands and Natural Resources, completely disregarding the quotas established by his civil servants in NPWS, distributed licenses to fellow ministers and other politically powerful individuals; the minister dominated the committee that decided who received concessions for increasingly valuable hunting blocks. While NPWS pushed the criterion of sound game management, the common factor of most recipients of hunting areas was strong party support or friendships with powerful politicians; the minister gave certain chiefs permission to hunt one elephant a year as a gift of UNIP; wildlife scouts looked the other way when politicians entered hunting areas without licenses; government and party officials handed out game meat after returning from illegal hunts; and local party functionaries expected NPWS staff to supply political rallies with game meat.<sup>74</sup>

<sup>&</sup>lt;sup>72</sup>Ibid. Also interview with Richard Bell, Chipata, Zambia, 15 June 1991.

<sup>&</sup>lt;sup>73</sup>See for example the address by Chief G. Malama, and S.L. Atkins. "Socio-Economic Aspects of the Lupande Game Management Area," in Dalai-Clayton, <u>Proceedings of the Lupande Development Workshop</u>.

<sup>&</sup>lt;sup>74</sup>Interview with Francis Nkhoma, former Governor of the Bank of Zambia, Lusaka, Zambia, 10 August 1992.

## Kaunda's principal-agent problem

Kaunda's personal power could not overcome his Party and government's aversion to conservation policy, a situation that can be described well by principal-agent theory.<sup>75</sup> Principal-agent theory analyzes the process by which a principal contracts with an agent to act to produce an outcome desired by the principal. Many relationships common to society reflect this situation: client/lawyer, broker/investor, doctor/patient or, in the most general form, employer/employee. After agreeing to the contract however there is no guarantee that the agent will choose to pursue the principal's interest or pursue them efficiently. On the contrary, the agent will pursue her own goals, unless the contract imposes some type of incentive structure so as to make it in her interest to pursue the principal's interests. The principal's task is to design a structure that creates this convergence of interests. The difficulty of constructing such a contract is that the information about the agent's effort is difficult to obtain. The agent may put effort into those tasks that only appear as if she is fulfilling the contract (moral hazard). Consequently, the principal needs to write a contract with provisions for monitoring as well as inducing the agent to reveal information about her behavior. The best contract would overcome this informational asymmetry and conflict of interest by concocting incentives that encourage the agent to act as if she were the principal in every possible situation.

Of course, mechanisms such as time-clocks, output quotas, profit sharing do not completely eliminate the information and motivation gap.<sup>76</sup> Recent scholarship regarding principal-agent theory indicates that monitoring and sanctioning do not completely resolve the contracting problem resulting from dissimilar preferences.<sup>77</sup> Where more than one agent is

<sup>&</sup>lt;sup>75</sup>See Michael Jenson and William Meckling, "The Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure," in Louis Putterman ed. <u>The Economic Nature of the Firm</u> (New York: Cambridge University Press, 1986). See also Terry Moe, "The New Economics of Organization" <u>American Journal of Political Science</u> 28 (1984): 739-77.

<sup>&</sup>lt;sup>76</sup>Armen Alchian and Harold Demsetz, "Production, Information Costs and Economic Organization," in Putterman, <u>The Economic Nature of the Firm</u>, pp. 111-34.

<sup>&</sup>lt;sup>77</sup>Gary Miller, <u>Managerial Dilemmas: The Political Economy of Hierarchy</u> (New York: Cambridge University Press, 1992).

involved in the production of a good, it becomes exceedingly difficult to measure an individual's contribution to total output. While it is theoretically possible to devise schemes to induce agents to perform, such schemes are prohibitively costly and do not lead to the maximization of total profit.<sup>78</sup>

Principal-agent problems between a policymaker and an implementing bureaucracy can take two forms: shirking and slippage. Shirking refers to the noncompliance resulting from the conflict of goals described above. Slippage refers to institutionally induced problems, i.e. even when bureaucratic agents and policymaking principals share the same policy preferences, institutional arrangements within their bureaucracy may militate against choosing this most desired policy. The challenge for the policymaker/principal is to design decision-making rules within the bureaucracy so as to mitigate the problems of agency.

Considerable shirking and slippage characterized the implementation of Zambian wildlife policy. So Kaunda favored strong conservation measures. Party and government members preferred using wildlife as a commodity for patronage. Given the divergent preferences of Kaunda and his followers, combined with the lack of a powerful domestic conservation lobby, party members and bureaucrats failed to devote much energy to, or actively frustrated, attempts by conservation groups and Kaunda to strengthen wildlife policy. Kaunda's measures to mitigate principal-agent problems were insufficient. The UNIP government was able to cut the NPWS budget without antagonizing the Party's core constituents, urban dwellers. So Wildlife

<sup>&</sup>lt;sup>78</sup>Bengt Holstrom, "Moral Hazard in Teams, "Bell Journal of Economics 13 (1982): 324-40.

<sup>&</sup>lt;sup>79</sup>Matthew McCubbins and Talbot Page, "A Theory of Congressional Delegation," in McCubbins and Terry Sullivan eds. <u>Congress: Structure and Policy</u> (Cambridge: Cambridge University Press, 1987): 409-425. See also Randall Calvert, Mark Moran and Barry Weingast, "Congressional Influence over Policy Making" and Matthew McCubbins and Thomas Schwartz, "Congressional Oversight Overlooked: Police Patrols Versus Fire Alarms," in the same volume.

<sup>&</sup>lt;sup>80</sup>It is difficult to identify by observation whether certain principal-agent problems are motivated by shirking or slippage. An individual can claim that their shirking is really an example of institutional slippage. As motivations are impossible to determine from actions alone, the attempt is not made here to distinguish between the two forms.

<sup>&</sup>lt;sup>81</sup>Bates and Collier, "The Politics and Economics of Policy Reform in Zambia," pp. 392-429.

conservation never made the final drafts of UNIP policy documents, let alone the government's series of five-year development plans. Kaunda's circulars succeeded in the dismissal of only two civil servants. The government never fully supported the white-led SRT operations. Ministers, senior police officers and party officials successfully waylaid the proposed independent wildlife investigative agency. Military support for anti-poaching operations was intermittent, and surrounded by suspicions that soldiers notified their poaching friends before sweeps began. The Director of Public Prosecutions dropped ivory cases against "top leaders." And ZCCM's efforts focused more on developing tourism than wildlife management. The increased relative value of wildlife, and the premium placed on items needed to sustain patronage under a one-party state experiencing troubled economic times, led party and government members to use wildlife according to the logic of distributive politics. Before

#### Parliament's response

Even parliamentarians fought against attempts to augment conservation policy. Despite the loss of its policymaking power and the centralization of control over parliamentarians' political careers, the incentives created by the political institutions of the one-party state encouraged National Assembly members to risk opposing the wildlife policy agenda of the most powerful politician in the country — Kaunda.

<sup>&</sup>lt;sup>82</sup>Interview with Akim Mwenya, former Deputy Director National Parks and Wildlife Service, Chilanga, Zambia, 6 November 1991. Mr. Mwenya became the Director of NPWS in 1992. See also West, "The Politics of Hope," p. 102.

<sup>&</sup>lt;sup>83</sup>Interviews with Mike Faddy, Chinzombo Safari Lodge, Lusaka, Zambia, 21 March 1991; and Akim Mwenya, NPWS Director, Chilanga, Zambia, 14 July 1992.

<sup>&</sup>lt;sup>84</sup>Interview with P.S.M. Berry, Chinzombo Safari Lodge, Mfuwe, Zambia, 22 June 1991.

<sup>&</sup>lt;sup>85</sup>Economist Intelligence Unit 2 (1979): 6.

<sup>&</sup>lt;sup>86</sup>Marcia M. Burdette, <u>The Dynamics of Nationalization between Multinational Companies and Peripheral States: Negotiations between AMAX. Inc.. and the Anglo-American Corporation of South Africa. Ltd., and the Government of the Republic of Zambia. Ph.D. dissertation, Columbia University, 1979, p. 450, 404-407, 427-434. See the similarities in Key's analysis of politics in the American south in V.O. Key, <u>Southern Politics in State and Nation</u> (New York: Alfred Knopf, 1949).</u>

Given the government's dominant position in Zambia's economy, election to parliament offered the possibility of substantial economic and political gains to the individual member. The new rules of Zambia's one-party participatory democracy removed opposition parties from politics, but did not eliminate the benefits of and thus competition for National Assembly seats. In fact, the reforms allowed for increased political participation at both the local and national levels. An increase in the number of constituencies meant the possibility of more candidates and better representation of local interests. The removal of rival political parties led to an increase in the number of districts with more than one candidate.<sup>87</sup> (Previously, opposition parties would either decide not to run in regions of UNIP dominance, or would be prevented from doing so.) And more people ran for each office.<sup>88</sup>

The electoral rules also created a new constellation of relationships between local party officials and parliamentary candidates. During the multiparty First Republic, the national party executive would choose candidates and sponsor campaigns. The one-party Second Republic gave local officials the power to choose three candidates in primary voting, and then run their campaigns during the general elections. Local officials used their resources and personal influence to support certain individuals' campaigns, and they also solicited votes from other members of the electoral college during primaries. Such activities could enhance or sabotage candidacies, as individuals running without the backing of the local party machine stood no chance of being selected to take part in the general election. As a result, candidates frequently used bribes to secure nominations, and local officials expected the favors to continue after elections. Eventually, electoral malpractice became so widespread under the primary system that President Kaunda himself publicly complained about the "sinful" practice of bribe-taking by local party functionaires.<sup>89</sup>

<sup>&</sup>lt;sup>87</sup>See Republic of Zambia, Office of Elections, <u>Report on the Results of the 1968</u> <u>Presidential and Parliamentary Elections</u> (Lusaka: Government Printer, 1968) and the 1973 and 1978 reports. The 1968 elections had 30 seats go uncontested. In 1973 this number dropped to 14. In the 1978 elections, only 6 constituencies were uncontested.

<sup>&</sup>lt;sup>88</sup>Ibid. From 1973 to 1978, 43% more people ran for the National Assembly, an average increase of one more candidate for every constituency.

<sup>&</sup>lt;sup>89</sup>Election Special (Lusaka, Zambia: Government Printers), 10 November 1978.

The more competitive general elections also tied candidates to the local electorate in new ways. Since each candidate at this stage had been approved by the Central Committee as a UNIP party loyalist, candidates had to differentiate themselves from their opponents along other dimensions, such as constituency service. Citizens began to expect that their member of parliament should be from, and aware of problems in, their area. Any candidate who did not understand the new constituency logic of the Second Republic could expect cries such as "Tabumoneka!" ("We have not seen you [here]!") during campaigning, and a loss at the polls. 90 Voters wanted a share of the benefits that went along with a seat in the National Assembly. In the words of a local, "Why should we vote for you? You will go off to Lusaka and make money. We will be left here, same as before." 91 As in other one-party multiple candidate systems (e.g. Kenya and Tanzania), constituents frequently voted out parliamentarians who failed to deliver local benefits. 92

New rales in the National Assembly also reinforced the logic of constituency service. The Chona Commission, appointed to report on the changes necessary to implement a one-party state, recommended that MPs should be able to speak and vote on any issue introduced to the National Assembly; the government agreed to this measure. MPs began to articulate local needs and criticize the implementation of government policy. Some UNIP officials decried the

<sup>&</sup>lt;sup>90</sup>Baylies and Szeftel, "Elections in a One-Party State," p. 46-51, in Gertzel, Baylies and Szeftel, <u>The Dynamics of the One-Party State</u>. See also Bornwell Chikulo, "The Impact of Elections in Zambia's One Party Second Republic," <u>Africa Today</u> (2nd Quarter, 1988): 43.

<sup>&</sup>lt;sup>91</sup>Baylies and Szeftel, "Elections in a One-Party State," p. 46.

<sup>&</sup>lt;sup>92</sup>Bornwell Chikulo, "The 1978 Zambian Elections," in <u>The Evolving Structure of Zambian Society.</u> Proceedings of a seminar held in the Centre of African Studies, University of Edinburgh, 30 and 31 May, 1980, p. 111.

<sup>&</sup>lt;sup>93</sup>See Republic of Zambia, <u>Report of the National Commission on the Establishment of a One-party Participatory Democracy in Zambia (The Chona Commission)</u> (Lusaka: Government Printer, October 1972). The government rejected many of the suggestions that dealt with term limitations for presidents, curtailing executive power and limiting party control over elections. See Republic of Zambia, <u>Report of the National Commission on the Establishment of a One-part Participatory Democracy in Zambia. Summary of Recommendations Accepted by Government (Lusaka: Government Printer, 1972).</u>

new trend of criticism, and President Kaunda pushed to install the Party's own disciplinary rules as part of Parliament's Standing Order. Members, however, continued the practice of questioning government.<sup>94</sup> Even front-benchers attacked government policy.<sup>95</sup>

Such public activity may not have influenced the average voter; it is unlikely that many citizens bothered to read the transcripts of parliamentary debates. Testimony about parliamentarians' behavior did, however, reach the ears of local party officials. And these officials acted upon MPs who failed to articulate and meet local needs: local party officials ousted twelve incumbent MPs during the 1978 primaries.

The new political logic of the one-party state made wildlife an important issue for parliamentarians. Wildlife laws restricted access to a wide cross-section of people over most of Zambia. Of the Second Republic's 125 total constituencies, 27 included national parks, where hunting is prohibited. Forty-six had game management areas within their areas, where hunting is very restricted. Over half (sixty-four) of Zambia's constituencies included or abutted either a national park or a game management areas. People had always cared about access to wildlife; now their concerns could be directed toward their elected representatives.<sup>96</sup>

Most Zambians, especially rural residents, detest wildlife laws. Citizens feel they possess a right to hunt, and believe that foreign safari hunters and not "hunting for the pot" endangers wildlife populations. Villagers also express a strong dislike for NPWS staff who interfere with

<sup>&</sup>lt;sup>94</sup>Cherry Gertzel, "Dissent and authority in the Zambian one-party state" in Cherry, Gertzel and Szeftel eds., The Dynamics of the One-Party State in Zambia, pp. 79-85.

<sup>&</sup>lt;sup>95</sup>For example, see the biting testimony of Mrs. Muyunda, Minister of State for Decentralization, against the 1982 Amendment to the National Parks and Wildlife Act in Zambia, National Assembly, <u>Daily Parliamentary Debates</u>. No. 60h (13 August 1982): 4140.

<sup>&</sup>lt;sup>96</sup>Interview with Wezi Kaunda, former member for Malambo constituency, Lusaka, 6 August 1992.

their hunting practices.<sup>97</sup> The collapse of Zambia's economy and its resultant impact on incomes exacerbated the demands of citizens for wildlife resources.

Parliamentarians visiting or campaigning in their constituencies faced numerous complaints regarding wildlife policy. Willagers griped about the few and costly hunting licenses, overzealous wildlife scouts and the lack of alternative sources of protein in their regions. Some rural citizens thought the drop in animal populations resulted from a movement of wildlife to national parks, and not poaching. (In fact, villagers demanded access to these fugitive animals as well.) Family members often pleaded the cases of relatives jailed for violating wildlife laws. Urban constituents protested the high prices for licenses and beef, and urged parliamentarians to legalize the trade in game meat. Such complaints were not new and income decline intensified them. And, as a result of one-party political institutions, these grievances meant more to members of the National Assembly who now needed local support.

In addition to constituents, parliamentarians felt pressure from the rural and urban elite who had taken advantage of the burgeoning wildlife market. Those individuals involved in commercial meat, rhino horn, or ivory enterprises could be valuable friends or powerful enemies. Even influential Zambians wanting to sport hunt without infringement made their case to their politicians. "Every (National Assembly) member had at least one friend" pressing for

<sup>&</sup>lt;sup>97</sup>Marks, <u>The Imperial Lion</u>; <u>Large Mammals</u>. Every wildlife officer, conservation official and politician interviewed agreed with this basic characterization of rural residents and their attitudes toward wildlife law. These feelings were verified by the results of a survey I conducted with 125 villagers living in five different chiefdoms in the Luangwa Valley, July-August 1991.

<sup>&</sup>lt;sup>98</sup>See for example the address by Chief G. Malama in Dalai-Clayton, <u>Proceedings of the Lupande Development Workshop</u>, p. 8.

<sup>&</sup>quot;Interview with Robeson Chongo, former Minister of Tourism, Lusaka, Zambia, 10 August 1992. Stuart Marks notes the same behavior in 1953. See Marks, <u>The Imperial Lion</u>, pp. 108-112.

<sup>&</sup>lt;sup>100</sup>Interview with General Kingsley Chinkuli, member of UNIP Central Committee, Lusaka, Zambia, 11 August 1992. He stated that "MPs, especially rural MPs, were afraid of losing popularity in their constituencies."

low penalties and greater access to wildlife.<sup>101</sup> Both constituency service and patronage politics conspired against wildlife conservation.

#### 4. The Case of the 1982 Amendment

The parliamentary debate over the 1982 Amendment to the National Parks and Wildlife Act exemplifies the political logic of wildlife policy during this period in Zambia. From 1975-1982 the NPWS made three attempts to get the National Assembly to pass legislation boosting the punishments for poachers. With President Kaunda's backing, one proposal finally made it to the National Assembly. The ensuing debate demonstrated that some Zambian parliamentarians, acutely aware of their new economic and political institutional environment, acted to protect their political interests at the expense of collective outcomes such as wildlife conservation or government revenue.

The National Parks and Wildlife Act of 1971 describes the powers and duties of the civil servants charged with protecting Zambia's wildlife resources at this time. The president enjoyed absolute ownership of wildlife on behalf of the citizens and could declare or void game management areas. The minister in whose portfolio NPWS fell could, among other powers, regulate hunting licenses and fees, prohibit the hunting of certain animals and restrict certain activities (e.g. vehicle traffic, setting of fires, fishing) within National Parks. The Director of National Parks administered the day-to-day operations of NPWS. The Director also advised the Minister on the legal changes NPWS staff thought necessary to improve wildlife conservation.

<sup>&</sup>lt;sup>101</sup>Ibid. The Minister of Lands and Natural Resources and the Director of NPWS held the best positions for granting favors over wildlife. By law, each could alter quotas and distribute hunting licenses. Parliamentarians, on the other hand, could only intervene for individuals on an ad hoc basis. Predictably, great numbers of individuals seeking hunting-related favors visited the offices of the Minister and Director after 1975.

<sup>&</sup>lt;sup>102</sup>Interview with Gilson Kaweche, Deputy Director NPWS, Chipata, Zambia, 14 July 1992.

<sup>&</sup>lt;sup>103</sup>See Cap. 316 of the Laws of Zambia. Cap. 316 remained in force until 1991.

<sup>&</sup>lt;sup>104</sup>Called the Minister of Lands, Natural Resources and Tourism from 1974-76.

The Minister of Lands and Natural Resources used his powers to issue a number of statutory instruments during this period, covering subjects such as hunting quotas, schedules of hunting licenses and fees, prohibitions from certain areas, and safari and camping fees.

But the crucial act of changing the penalties associated with violating wildlife laws required the National Assembly to pass a law.

Mr. Mwananshiku, the Minister of Lands and Natural Resources presented such a bill in August 1982, the only NPWS effort to stiffen poaching penalties that made it to the National Assembly. Emphasizing how the Party and its Government supported wildlife conservation, and noting the rapid increase in illegal hunting and the deplorable state of the underfunded yet hard-working NPWS, Minister Mwananshiku outlined the plan of the National Parks and Wildlife Bill Amendment of 1982 to increase poaching punishments. At that time, Cap. 316 stipulated that individuals convicted of poaching elephants and rhino could opt to pay an insignificant fine (which most did); individuals caught hunting in national parks could pay a fine or face a maximum five years in prison; and police notoriously "misplaced" the guns and trophies of alleged poachers, rendering conviction nearly impossible. At the heart of the new bill were three clauses: Clause 6 proposed that anyone convicted of hunting, wounding or molesting elephants or rhinos would be sentenced to jail for 15 years without option of fine. Clause 7 proposed that anyone caught hunting illegally in a national park shall be subject to a sentence of no longer than 10 years in jail without option of fine. And Clause 9 intended to force the court to confiscate all the weapons and trophies of the convicted.

A two-sided debate over the bill emerged. Front-benchers (ministers, ministers of state and district governors), all dependent upon President Kaunda for their positions, asserted that the amendment would protect wildlife resources for future generations, help NPWS with its fight against poachers, save the animals necessary to spark a more lucrative tourism industry and prevent the extinction of elephant and rhinoceros. In other words, members had also been appointed as government officials supported a conservation view closely aligned with President Kaunda, but which ignored the interests of most rural and urban residents. Back-benchers, on the other hand, passionately condemned the amendment. If passed, the bill, which "must have

<sup>&</sup>lt;sup>105</sup>Zambia, National Assembly, <u>Parliamentary Debates</u>. No. 60h (10 August 1982).

been designed by expatriates," would "protect the animals at the expense of the people," "protect animals so that only people from developed countries can see them," turn Zambia from "mancentered to animal-centered," "prosecute traditional practices," and reduce Zambians to "subhuman beings." Amazed at the avalanche of dissent, the Speaker of the National Assembly exclaimed "the whole House wants to speak!" 107

Members of the National Assembly themselves recognized the political incentives that separated front and back-benchers. Back-bencher L.B. Hantuba alluded to the fact that the front-bench district governors present should have been attending another meeting, but had flown in to Lusaka "to come and defend the animals." W.J. Banda launched a direct attack on the sympathies of Kaunda's appointees:

If the House is going to allow this law to pass in its present form, Sir, it will be the most unfair law to be adopted by this august House. I am appealing. Mr. Speaker, particularly to the Members of Parliament who are District Governors and Ministers of State. I know that they are ready for other promotions but they should not use this proposed Bill as a means of influencing the appointing authority for promotion." <sup>110</sup> (Emphasis added.)

<sup>&</sup>lt;sup>106</sup>Ibid., pp.4118-4140.

<sup>&</sup>lt;sup>107</sup>Ibid.,p. 4140.

<sup>&</sup>lt;sup>108</sup>Of the 128 parliamentarians, 49 were ministers, 6 were nominated members and ten were district governors, giving the front bench a majority. Of course there were other back benchers who could be counted on to be strongly pro-government, such as the 7 MPs who had run unopposed in the last election.

<sup>&</sup>lt;sup>109</sup>Ibid.,p. 4128.

<sup>&</sup>lt;sup>110</sup>Ibid.,pp. 4118-19.

Members understood front-benchers' conflicting incentives.<sup>111</sup> Speaking out for the amendment might have pleased Kaunda, but hurt an individual's electoral chances. The best strategy for some meant silence in the National Assembly, "quietly praying that the Bill is defeated."<sup>112</sup> Back-benchers exposed ministers who whispered that "once this Bill goes through Parliament, half the population" of their constituents "will die in prison."<sup>113</sup> Most Kaunda appointees chose to neither oppose nor support the amendment during debate. Only six front-benchers spoke for the bill, less than a tenth of their total numbers in the National Assembly.

Back-benchers made clear the link between wildlife and elections in three ways. First, dissent focused primarily on the effects the bill would have on constituents, not on the collective goods it might produce, e.g. conservation and tourism receipts. Parliamentarians expressed concern about "punishing those who put us in power," and felt the bill would "humiliate innocent people" as well as jeopardize citizens' access to wildlife. 114

Second, back-benchers pointed to the shadow of the upcoming 1983 elections. W.H. Banda expressed concern about how the 1981 military anti-poaching operation in his area would

<sup>&</sup>lt;sup>111</sup>Interview with Wezi Kaunda, former member for Malambo constituency, Lusaka, 6 August 1992. Wezi Kaunda felt particularly pressured since his father was the most important conservationist in Zambia, yet W. Kaunda represented a constituency that was not only rural but whose area was dominated by national parks.

Even a government-owned newspaper criticized the move by President Kaunda's move to appoint sixteen members of Parliament as district governors: In the Zambia <u>Daily Mail</u> 29 January 1982 the move was seen as a way to make parliamentarians quieter by drawing them into the executive's side of issues.

<sup>&</sup>lt;sup>112</sup>Ibid.,p. 4128.

<sup>&</sup>lt;sup>113</sup>Ibid.,p. 3990.

<sup>&</sup>lt;sup>114</sup>Ibid.,pp. 3990-3997.

effect elections: "Parliamentary elections are very near. Indeed this incident...nearly created dissension in Malambo Constituency and other areas. Some people even threatened not to take part in the elections and declared that animals would vote instead." Harking back to the statement made by ANC leader Harry Nkumbula against the original National Parks and Wildlife Act (Cap. 316), L.B. Hantuba claimed that political songs "have already been composed in various districts that this Government favors animals more than human beings." Backbenchers felt that they needed to articulate to the government "the true feelings of the people of Zambia" since they had to contest "difficult" elections against "about six other opponents;" they worried about how "to interpret the legislation before the House to (my) voters."

Third, dissenting parliamentarians highlighted the basic political fact that people — not animals — vote: "When the registration of voters was taking place, I did not hear of any animal being asked to go and register as a voter; I heard the campaigners ask only human beings. Maybe the animals were asked in a different language;" 118 "I hope they (those who vote for the amendment) will have the strength to tell their people in their constituencies that they favor animals more than people;" 119 "At no time did rhinoceros or elephants participate in the fight

<sup>&</sup>lt;sup>115</sup>Ibid.,p. 4119.

<sup>&</sup>lt;sup>116</sup>Ibid.,p. 4130.

<sup>&</sup>lt;sup>117</sup>Ibid., pp. 4132-35, and Idem., <u>Parliamentary Debates</u>, No.60 (10 December 1982), p. 4886.

<sup>&</sup>lt;sup>118</sup>Ibid.,p. 4880.

<sup>&</sup>lt;sup>119</sup>Ibid.,p. 4129.

of our independence."<sup>120</sup> With an election on the horizon, parliamentarians feared the anger of voters if the bill augmenting the status quo wildlife law passed.

Back-benchers used various techniques to fight the 1982 Amendment. Rancorous debate caused the government to withdraw the bill after its second reading. When the bill reemerged four months later, its provisions had been significantly watered down: the Minister had reduced the prison sentences for rhino and elephant hunting, and replaced the provision for mandatory jail terms for first-time violators of hunting in a national park with an the option of a fine for first offenses.

Even though the government weakened the bill's intended penalties, parliamentarians continued to vent their frustration with the punitive intent of the bill. Several members claimed the government did not care about citizens since it enjoyed a "dictatorial" majority of front-benchers in the National Assembly, and threatened to walk out of parliament to delay the bill's passage. To ameliorate the tense emotional setting, the interim speaker rescheduled the bill to be last on the agenda. The Prime Minister came to the final session and urged members not to abandon their duty by leaving the chambers, hinting of possible retaliation towards those who might dissent. Despite these appeals and warnings, back-benchers walked out of the proceedings, an unprecedented event. Front-benchers quickly passed the bill without their back-bench colleagues in attendance. 122

<sup>&</sup>lt;sup>120</sup>Ibid.,p. 4912.

<sup>&</sup>lt;sup>121</sup>Ibid.,p. 4910.

<sup>&</sup>lt;sup>122</sup>Ibid.,pp. 4799-4916.

To make a more systematic test of these assertions about parliamentarian behavior, I construct a statistical model to account for MPs' position-taking on the 1982 amendment. Since the National Assembly did not record votes, the dependent variable of the model measures whether the parliamentarian spoke against the bill (AGAINST = 1) or spoke either in support of the bill or not at all (AGAINST = 0) during parliamentary debates.<sup>123</sup>

I construct independent variables to capture the incentives motivating parliamentarian choice to speak against the 1982 amendment or not. The variable GOVT accounts for whether a parliamentarian is a front-bencher (GOVT = 1) or a back-bencher (GOVT = 0). We would expect that front-benchers would either speak for the bill or remain silent. We also expect that a parliamentarian would be much more likely to speak against the bill if they were a back-bencher.

The variable MARGIN/RESERVE measures both the influence of the parliamentarians' margin of victory and the presence of protected areas within their constituency. The margin of victory (MARGIN) is the difference between percentage of the vote received by the incumbent and the next closest candidate in the last legislative elections (1978). I label the margin of victory as low if the candidate won by less than ten percent, and high otherwise. RESERVES categorizes whether a parliamentarians's constituency harbors a wildlife protected area (national park or game management area). I theorize that the margin of victory and protected area components of the variable MARGIN/RESERVE interact in the following

<sup>&</sup>lt;sup>123</sup>Since only 6 government officials spoke for the bill, those members who spoke in support of the bill are combined with those who remained silent.

<sup>&</sup>lt;sup>124</sup>I use the conventional threshold of a 10 percentage point margin to determine whether a parliamentary seat is safe or contested.

manner. If a parliamentarian won by less than ten percentage points, and had a constituency that included a protected area, he or she would be more likely to speak against the 1982 amendment. In this case, MARGIN/RESERVE is coded 1. If a candidate enjoyed a large margin of victory, he or she would be less concerned with position taking on the bill and less likely to need to risk incurring Kaunda's wrath, whether or not her constituency included a protected area. These cases are coded 0. Members without a national park or game management area in their constituencies are also coded 0, since they are likely to hear fewer complaints from their electorate, and therefore care less about challenging the bill. In sum, MARGIN/RESERVE should reflect that the presence of protected areas will increase a parliamentarian's probability to speak against the bill, especially if the member occupied a tightly-contested seat.

The model estimated for these data is:

$$Prob(Y_i = j) / Prob(Y_i = k) =$$

$$a_j + B_{1j}(GOVT)_i + B_{2j}(MARGIN/RESERVE)_i + e_{ij}$$

where i represent the parliamentarian, and j and k represent the two possible positions for the dependent variable AGAINST. I use the probit procedure to estimate the equation for the parliamentarians vote since it allows a categorical dependent variable. Probit also allows estimates to be constructed to show the impact that each independent variable has on the probability of speaking against the amendment. Table 3 presents the estimates of the probit model for speaking against the 1982 amendment.

The results strongly support the model. Both the GOVT and MARGIN/RESERVE variables are in the expected direction. A negative coefficient for GOVT indicates that an front-benchers were less likely to speak out against the amendment. The positive coefficient for MARGIN/PARKS means an increase in that variable would increase the likelihood a

parliamentarian would speak against the amendment. Each of the independent variables is also significant at the <.05 level.

The entire model, significant at the .001 level, predicts 86% of the cases correctly. Further, these strong results would likely have been improved if the model could account specifically for Kaunda's influence. His potential retaliation toward those who opposed his preferences most likely depressed the sample of those speaking against the amendment.

The estimated probit coefficients also yield useful probabilities, as shown in Table 4.

(Table 4 about here.)

As predicted by the model, the National Assembly member who is not in the government (GOVT = 0), whose constituency includes a wildlife protected area and who won a close election in 1978 (MARGIN/RESERVE = 1) had the greatest probability (46%) of speaking out against the amendment. But the effect of having a constituency with a reserve and competing in a tough election helps predict whether a member will take a stand against the amendment for members both in and outside the government. Front-benchers' inclination to attack the amendment increases by 13% if they have survived a close electoral contests or constituencies with reserves; backbenchers chances increase by 28%.

Also as predicted, holding a government job greatly affects the chance that you will speak out against the bill. If a government official occupied a safe seat or did not represent a constituency with a reserve of some kind and was a member of government, they had only a 3 % probability of denouncing the amendment. This percentage jumps to 17% if they were a backbencher. Likewise, government members elected in close races from constituencies with reserves had a 16% chance of publicly opposing the 1982 bill in the National Assembly. By shifting the member to the back-bench, the chances of challenging the bill increase by 30%.

The probit model and the estimated probabilities demonstrate strong support for the theory that parliamentarians cared about wildlife policy as an electoral issue. So strong was their concern that some members of the National Assembly willingly challenged the most-preferred policy of a one-party president. And their interest in blocking additional conservation measures increased if they had fought close elections and represented Zambians who lived near protected areas.

#### 5. Conclusion

#### The political logic of wildlife policy

This paper explored how the political and economic institutions of the Second Republic altered the distribution of benefits from Zambia's wildlife policy from 1973-1983. Failing to augment Zambia's wildlife laws during this period allowed numerous politicians in both the Party and the government to gain from the de facto relaxation of wildlife regulations while avoiding President Kaunda's wrath. To advocate weaker wildlife laws risked confrontation with Kaunda. To advocate stronger wildlife laws risked losing the support of the electorate, business owners and friends.

No Zambian politician during this period openly suggested weakening wildlife laws, despite such a move's potential popularity. To champion such a position, a politician would bear high costs of policy change. First, changing policy through the National Assembly required a bill to be written and members' support solicited at various stages. Even if members unanimously supported the new policy direction, formal procedures exacted costs to individual sponsors. More importantly, publicly challenging Kaunda remained an extremely risky political undertaking. Few would openly test Kaunda's resolve over an issue he held dear, like conservation.

Underfunding or resisting alterations to a status quo policy, however, incurred less cost and risk than pushing for complete policy change. Consequently, parliamentarians could oppose bills that augmented poaching penalties without challenging the original wildlife policy, and UNIP could make cuts in the NPWS budget without changing overall wildlife policy.

The problems of collective action did not bedevil those parliamentarians opposed to strengthening the punishments for illegal hunting. There was no need to maintain the group's opposition by giving out selective incentives to members since each member received political and economic incentives from his opposition to policy change. New institutions created a distribution of benefits from wildlife policy that needed neither enforcement mechanisms nor collective goods to maintain.

Such an array of incentives helped produce policy that generated irrational economic and conservation outcomes. A political equilibrium existed that ensured the destruction of thousands

of animals in Zambia. To alter wildlife policy, political institutions would need either to be changed or circumvented.

## The one-party state revisited

By using the case of wildlife policy, this paper also explored deeper analytic issues about the institutions and politics of one-party states. This paper calls into question many commonly-held assumptions. Scholars have indicated that African one-party states led to parliaments composed of members with few ties to their electorates, offering scant opposition to government policy. Most authors either ignore the role of elections under one-party rule, or, when mentioned, characterized them as vehicles to insure centralized party control over political recruitment. Researchers often view constitutional provisions and policies as easily manipulated by dominant one-party presidents and their close advisors. 127

This paper presented evidence that parliaments in a one-party state can be relatively independent from the executive on certain issues. Parliamentarians can be strong representatives of their constituents and be motivated by electoral competition even when such action challenges the preferred policy position of a one-party president. The case of the 1982 amendment revealed vociferous debate can emerge in parliament; more importantly, parliamentarians under Zambia's one-party state succeeded in modifying a president's policy preferences.

Four characteristics of wildlife policy facilitated the Zambian parliament's opposition. First, the effects of wildlife policy were widespread. Most of Zambia's electoral constituencies

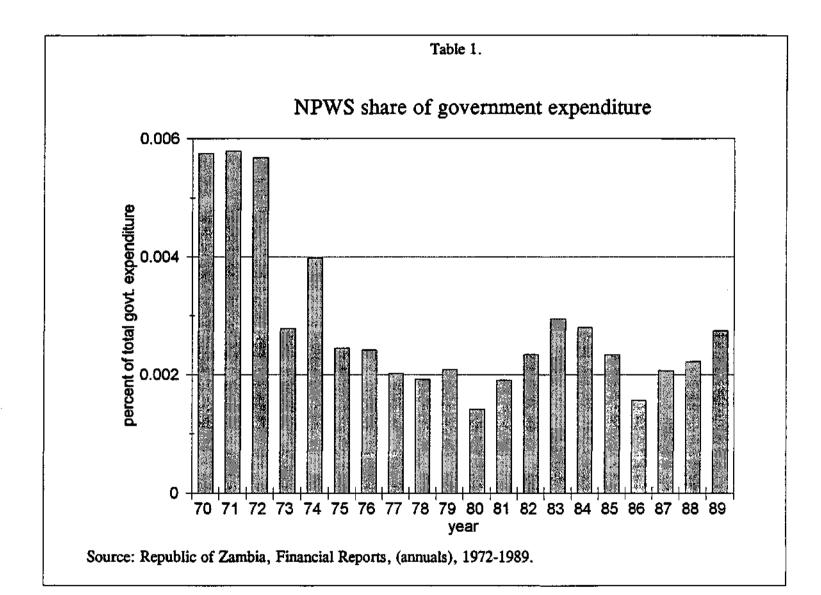
 <sup>125</sup> Gwendolyn Carter, African One-Party States (Ithaca: Cornell University Press, 1962), pp.
 2-10; Aristide Zolberg, Creating Political Order: The Party-States of West Africa (Chicago: Rand McNally, 1966); James Wunsch and Dele Olowu, The Failure of the Centralized State (Boulder, CO: Westview Press, 1990); Robert Jackson and Carl Rosberg, Personal Rule in Black Africa (Berkeley: University of California Press, 1982); Peter Meyns and Dani Wadada Nabudere eds. Democracy and the One-Party State in Africa (Hamburg: Institut Fur Afrika-Kunde, 1989); Tordoff, "Residual Legislatures."

<sup>&</sup>lt;sup>126</sup>Richard Sandbrook recognizes that fairly open intra-party elections can link national leaders to the grassroots. See Richard Sandbrook, <u>The Politics of Africa's Economic Stagnation</u> (Cambridge: Cambridge University Press, 1988), p. 93.

<sup>&</sup>lt;sup>127</sup>Peter Meyns, "The Road to One-Party Rule in Zambia and Zimbabwe," in Peter Meyns and Dani Wadada Nabudere eds. <u>Democracy and the One-Party State in Africa</u> (Hamburg: Institut Fur Afrika-Kunde, 1989), pp. 179-202. William Tordoff, "Residual Legislatures."

contained or abutted a game management area or national park. Those constituencies that did not, usually urban areas, still included Zambians interested in wildlife as a business or supply of meat. Second, wildlife was an electoral issue to parliamentarians. Although certain economic policies pursued by the government may have more seriously damaged the livelihoods of the average rural resident, such laws were difficult to understand. In contrast, villagers knew precisely the cause of their exclusion from wildlife resources and continually sought greater legal access. Pressuring parliamentarians and poaching emerged as two of their strategies to obtain such access. Third, the benefits politicians received from preventing greater enforcement of wildlife conservation accrued to them individually, obviating the need for collective action. Policies that required group solidarity would be more vulnerable to a breakdown in support. Monitoring and sanctioning mechanisms would need to be constructed and maintained. And such a group would also pose an easier target for a one-party president to eliminate. Finally, parliamentarians could oppose President Kaunda's policy preferences by doing nothing. Rather than expose themselves politically by advocating policy change, they could hide behind supporting the status quo, which was, in effect, Kaunda's old policy. These four characteristics of wildlife policy allowed a so-called "rubber stamp" parliament to foil a one-party president's goals.

More generally, this paper demonstrated that political and economic institutions matter. Despite their characterization as similar political systems, one-party states will vary according to how institutions structure politics. This paper also detailed how economic institutions interact with political structures to affect political conflict. Wildlife resources possessed characteristics that interacted with political institutions in ways that prevented easy policy change under Zambia's one-party state.



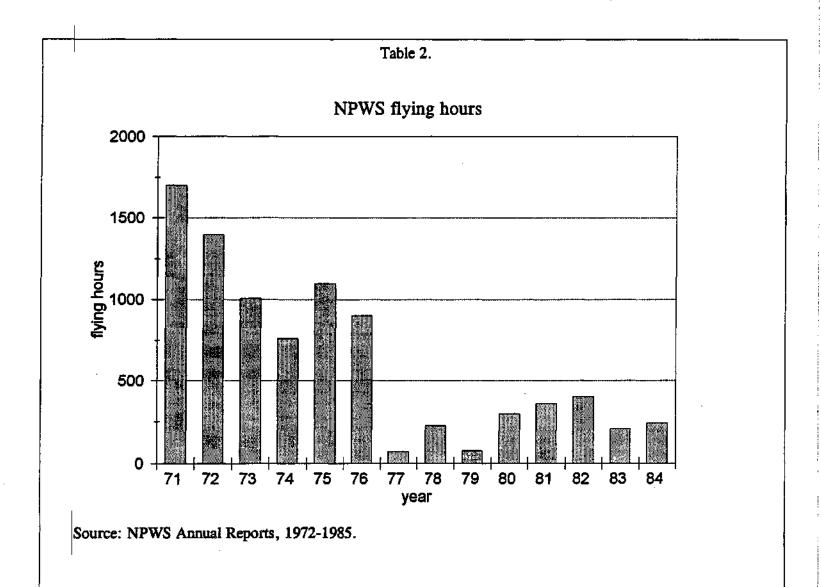


Table 3.

Results of the model for speaking in parliament on the 1982 Amendment to the National Parks and Wildlife Act

Independent Variables	Estimated Coefficient	Standard Error	Significance (two-tailed)	Expected Direction
constant	-0.947	.187	.001	
GOVT	-0.889	.364	.05	Yes
MARGIN/RESERVE	0.834	.379	.05	Yes

Sources: Constituency maps for the 1978 general elections and National Parks and Wildlife Service map of protected areas provided by the Maps Office, Republic of Zambia; <u>Presidential and Parliamentary General Elections Results 1978</u>, Republic of Zambia, Government Printer; Zambia, National Assembly, <u>Parliamentary Debates</u>, Nos. 60 and 61 (August-December 1982).

Percent correctly predicted = .856;

 $X^2 = 14.024$ ; degrees of freedom = 2;

Log likelihood test of unconstrained model significant at .001 level.

Table 4.

Probability estimates for the probit model (of Table 3.)

Variables	MARGIN/ RESERVE = 0	MARGIN/ RESERVE = 1	difference
GOVT = 0	.17	.46	.28
GOVT = 1	.03	.16	.13
difference	.14	.30	

Source: The Probit model presented in Table 3. The probabilities are transformations of the coefficients into probit values, which are then compared to a cumulative normal distribution.