



THEME Land

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Freeway: Hard Questions About Land

How to put Zambia's land to best use? That is a hard question.

We have more agricultural land than any country in sub-Saharan Africa, apart from the Gabon. Fly over Zambia and you see vast areas of unused, empty land, without crops, cattle or buildings.

Then move to Lusaka, Kabwe or Kitwe. Here every patch of land is occupied, often with haphazard informal settlements, unplanned, unserviced and dangerous to health. Land for building is virtually unobtainable through official channels. Applicants can wait for a lifetime without success.

Thus, on the face of it, large areas of land are available for farming, but hardly any for urban settlement. Location, it seems, is all-important. But, in any area, whether rural or urban, demand, and therefore value, varies greatly, depending on access by road or rail, and on availability of services like water and electricity.

Every Zambian, it is often said, is entitled to land. But where, how and when? And should it be free or paid for? In 1975 President Kaunda declared that land had no value in itself, apart from any improvements made to it. So it could not be bought or sold. That greatly increased demand, especially in urban areas. It also reduced supply, as is explained in an article that follows. The outcome was corruption in land allocation, which has become all-pervasive. What everyone can claim, no one can obtain, except through 'contacts'.

If acquisition is important, so is security, which affects value. At present land cannot be owned, only leased. The abolition of freehold seemed at the time to be a neat compromise, a kind of half-way house between communal and individual ownership. But is it viable? Security of tenure is vital for development. Leasehold, even for 99 years, entails uncertainty. A lease, as it nears its term, becomes either a fiction or a disaster.

The Ministry of Lands, long the focus for criticism, has now produced a draft land policy, published in

their newly opened website. All credit to them. But it is one thing to produce a draft, and quite another to reach agreement, especially on so emotive a subject. And even agreements are useless unless workable.

How should value be determined for undeveloped land of different types and in different localities? And how are poor people to obtain land if they lack the money to pay for it? Alternatively, if land is to be allocated free, or at a minimal price, can corruption be prevented? Moreover, will local authorities be able to plan, survey and service land without making substantial charges?

Soft hearts and hard heads need to get together in order to develop practical solutions to these and other difficult questions.

Hungry People on Fertile Land

Malcolm McPherson

A case study, prepared a decade ago by the Harvard Business School, asked why Zambia had so many “hungry people on fertile land”. That question remains relevant today. Despite some local successes, World Bank data derived from Government of Zambia (GRZ) sources show that the agriculture situation has actually worsened.

Comparing data from 1990-92 and 2002-2004 reveals that crop production in Zambia increased by 27 percent and livestock production by 24 percent. Over the same period, total population rose 35 percent. Consequently, by 2004, 46 percent of the population was still malnourished and more than 60 percent survived on less than a dollar a day. The under-5 mortality rate was higher in 2004 than in 1990 and Zambia's dependence on foreign aid as a share of GDP had increased markedly.

What prevents Zambia with its large agricultural resource base from adequately feeding its people? Why has the situation deteriorated? Research and study are not the problem. Hundreds of analyses, dating from Robinson's 1932 examination of rural-urban resource flows and the Pim Commission's review of the economy in 1938, have highlighted the problems and potential of agriculture. A major problem has been a series of policy decisions by the GRZ and its agencies that have undermined the

development of agriculture. The trend was set in the immediate post-independence period with President Kaunda's “fair price” maize policy. Enunciated in 1965, “fair” actually meant “low.” As agricultural production stagnated and increasing numbers abandoned farming, the government attempted to compensate by subsidizing fertilizer, transport, and credit. These initiatives institutionalized inefficiency, waste and corruption, and their cost grew till it absorbed close to a quarter of the government budget and 8 percent of GDP.

Fundamental to these policy failings was the general inability of government policy makers to appreciate the difference between the physical and the economic supply of land. The country's physical supply of land is 753,000 sq. kms., about the same size as Mozambique or Turkey. Zambia's economic supply of land, is the land which yields a positive net return after allowing for product and input prices, the scope and quality of rural infrastructure, the state of agricultural technology, and the knowledge and skills of Zambian farmers.

The economic supply of land expands according to five principal factors:

- ♦the degree to which the government's macroeconomic policies keep inflation under control, thereby reducing the farmers' risks and encouraging investment.
- ♦public initiatives that expand and maintain rural infrastructure (roads, bridges, storage facilities);
- ♦an exchange rate which enables Zambia's farmers to be internationally competitive;
- ♦public policies that encourage agricultural research; and
- ♦improved communications and information transfer that enable farmers to learn new techniques and raise productivity.

Policies and actions in these areas directly raise farm-gate returns and enable farmers to expand their productive capacity and enhance their skills. Contrary actions (and inaction) allow the exchange rate to remain over-valued, permit the infrastructure to deteriorate, neglect adaptive agricultural research, and undercut farmers' incentives to gain new skills and learn new techniques; all of which reduce the economic supply of land. Unfortunately for Zambia, much of the last four decades has been characterized by government actions with these destructive tendencies. It is little wonder, therefore, that most Zambians remain poor and underfed,

even though the country has a large physical supply of land, the second greatest per head of population in sub-Saharan Africa.

How could Zambia move beyond this unenviable situation? A major change would be for government policy makers to focus on expanding the economic supply of land. This would mean promoting activities and removing impediments, so that Zambian farmers begin to receive a better return for their efforts. Specific measures required include promoting a realistic exchange rate, reducing macro-economic instability, devoting more resources to maintaining rural infrastructure, and encouraging international agencies to help Zambian farmers upgrade their techniques and technology. None of these actions will be easy. Given the government's limited human, financial, organizational, and institutional capacities, they will take considerable skill and persistence. If implemented, however, they will give a major boost to agricultural development, and thereby to the economic and social development that has eluded Zambia.

These changes would be timely. The increasing demand for green energy and the expanding incomes in Asia are boosting world prices for grain, fiber, and livestock. Zambia's farmers could benefit from these trends. By responding, they would raise output, increase their incomes, and supply the food needed to eliminate hunger in Zambia.

Author: Malcolm McPherson is Senior Fellow in Development, John F. Kennedy School of Government, Harvard University.

The Empty Country

John Hudson OBE

Visitors to Zambia frequently comment on its apparent scarcity of agricultural development.

Indeed, away from the main urban areas it is possible to drive long distances without seeing much sign of serious farming. Away from the main roads there is even less. Why is this so? One reason is the comparatively low population to land ratio. The area of Zambia is 752,000 square kilometers, while the total population is about 11 million, giving an average population density of 14.6 people to the square kilometer. But over 55% of the population live in urban areas, so the average density is actually far lower.

Not all this land is suitable for farming. Much of it is hilly, rocky, sandy, swampy or otherwise infertile. Some of it is infested with tsetse fly, whose bite is fatal to cattle. Large areas are set aside for National Parks and Forest Reserves, or are occupied by towns or mining development. Even so, there remain large stretches of land that could be farmed. It is estimated that no more than 6% of Zambia's land surface is farmed. Only 2% is commercially farmed, and only 4% is farmed for local subsistence needs. While Zambia is fortunate in having so much land to spare, it is obvious that its potential is greatly underutilized.

Apart from the low population to land ratio, underdevelopment is due to several other factors. Of these, the land tenure situation is particularly important. Its history is long and complex, but the present situation may be summarized as follows. Within the State Land area, which is mostly along the Livingstone-Copperbelt railway line and in the Mkushi District, 99 year leasehold title is available and such titles can be transferred by sale. Virtually all commercial farming and industrial and urban development is situated in this area. The remaining 94% is under the control of traditional chiefs together with local councils. Indigenous people living in these areas have the right to cultivate the land without written title. They have reasonable security so long as cultivation continues. If it ceases, it can be reallocated by the chief to others. Land cannot be allocated to individuals for grazing purposes, as, according to custom, uncultivated land is grazed communally. While this informal system worked reasonably well when cultivation was largely for subsistence, it is unsuitable for commercial farming for the following reasons:

1. Tenure is too insecure to justify long term capital investment in improvements such as dams, boreholes, dip-tanks, etc. because any land not currently cultivated can be reallocated by the chief.

2. As grazing land is communal, farmers cannot improve grazing by fencing, which is regarded as anti-social and a breach of custom. As anyone can graze livestock anywhere except on cultivated land, there is no incentive to limit numbers of livestock. Land degradation and soil erosion result. It is impossible to keep cattle separate from

other possibly diseased stock. Uncontrolled bush fires often destroy the communal grazing.

3. Without registered title, farmers are unable to obtain loan finance from banks, as they have no collateral to offer. The only credit is seasonal short term credit from government or agri-business concerns.

There is a procedure for obtaining State title in the traditional areas, but it is so cumbersome that few farmers have succeeded in getting it. The requirements are as follows:

1. A letter of consent from the chief.
2. Recommendation from the district council.
3. Survey of the area concerned.
4. Issue of title by the Ministry of Lands.

Survey is expensive and difficult to arrange, particularly in remote areas. The Ministry is notorious for long delays in processing applications.

The situation is deeply frustrating for would be commercial farmers in the traditional areas. It is probably the most serious obstacle to farming progress. Over the past five years there have been many reports, conferences and ministerial statements on the problem, but no action. Meanwhile agriculture stagnates and migration to the towns accelerates.

International trade restrictions and farm subsidies in the developed countries (mainly the USA and the European Union) are another obstacle to farm progress in Zambia. Apart from bureaucratic import procedures, the subsidies encourage overseas farmers to produce uneconomically and thus to compete unfairly with African farmers, while depressing world price levels. Cotton is a classic example of this. The various rounds of trade negotiations have made some progress towards fair trade, but there is still a long way to go.

Poor rural area communications, due to the inadequate road network, together with lack of maintenance of most of the existing roads, is another extremely adverse factor. Land which cannot be economically reached is in effect not available for development.

Zambians often complain that land is scarce. But that statement is misleading. Our country has vast

areas of unused land. Zambia has been described as 'the empty country' largely because of the deplorable situation described above. This seriously discourages farming development and drives rural people away from the land into the already congested urban areas.

Author: John Hudson is a former Chief Executive of the Zambia National Farmers' Union

Land: The Key to Urban Development

Maurice Mbolela

Overview

One of the pointers to economic development in a local authority area is the number and value of plans approved for industrial, commercial and residential purposes over a given period. Clearly, land tenure management is an essential function for local government.

In pursuance of this function, governance issues and challenges have arisen. For example there is a growing quest for a more transparent and sensitive approach to the manner in which land is currently administered. Experience has shown that control over land is becoming more and more a reality and a requirement of political power. This, coupled with the operational difficulties facing local authorities, resulting from chronic financial problems, has frustrated development, as little or no serviced land is being made available. This has caused planning, health and environmental problems, arising from unplanned settlements, poor housing, lack of open spaces and inadequate social amenities.

Physical Planning and Land Use

Physical planning and land use control are functions of the Ministry of Local Government and Housing. They have been delegated to local authorities, which are designated planning authorities under the Town and Country Planning Act. These functions are essential for determining land usage for various purposes.

But planning alone is not enough. Whatever its purpose, land has to be serviced before it can be allocated for development. Servicing of land entails the provision of roads, storm water drainage, water, sewer lines and electricity. This local authority function is proving difficult to implement, given the

complexity of management challenges facing local government generally.

Availability of Serviced Land

Serviced land is essential for social and economic development. But in almost all urban local authorities there is a shortage of serviced land, and the little that now remains is from land serviced before 1975, when local authorities still had the capacity to carry out this function. Before then local authorities enjoyed the mandate to allocate land in their areas on behalf of the President, under the headlease system. At that time land attracted a local levy based on its value before development. This levy helped finance the servicing of more land.

In his Watershed speech of 1975 President Kaunda declared that land had no value. This meant that land could no longer be subjected to any levy or payment of rates, except for improvements. Despite its good intentions, this declaration effectively stopped councils servicing land for development, because they could no longer levy rates on undeveloped land. The headlease system was, in the process, also abolished. The Commissioner of Lands assumed the administration of land on behalf of the President, and local authorities became mere agents to process applications. This arrangement has created difficulties in coordination between planning by local authorities and allocation of plots by the Commissioner of Lands.

Generally, development has suffered in that serviced land has become scarce against increased demand. This shortage has caused unorthodox methods of land allocation to emerge, which have resulted in the proliferation and growth of unplanned settlements without basic services such as roads, water, sanitation, refuse disposal and electricity.

Further, as demand for land has increased, even those entrusted with the agency to manage land matters at local level have fallen prey to corrupt tendencies. Worse still, there have been allegations linking the Office of the Commissioner of Lands to land allocation using underhand methods.

Suggested Remedial Measures

♦Decentralisation - Proximity to the main stakeholders gives local authorities a strategic position in national development. They can and should play a vital role in the delivery of facilities and

services, some of which are currently being undertaken at central government level. The decentralization process the country is now pursuing should cater for all aspects of government operations, and should return land administration to local authorities, which exercised it before the headlease system was abolished. Some steps have been taken to effect devolution in sectors like education and agriculture. But for this process to succeed, it should include devolution of revenue generating mandates, such as the transfer of all land taxes to local authorities. In addition, the land reforms currently under way should introduce measures that will place a realistic value on land. This will reduce corruption and provide local authorities with adequate resources for continuous and adequate provision of serviced land for development.

♦Accountability and Transparency Good governance demands that local leaders are accountable and transparent in all their responsibilities. Such conduct can be enhanced through engaging area stakeholders in local decision making. This is necessary to ensure a corporate approach to governance and development, as well as to curb corrupt tendencies.

♦Strategic Approach Local authorities should adopt a strategy of bringing on board all local stakeholders. This would enable them to develop an open relationship with stakeholders and to receive feedback. It would also enable local stakeholders to contribute to the vision and become involved in local authority development planning.

Making serviced land readily available can be the key to urban development. A flourishing construction industry will create employment and contribute to poverty alleviation. New properties will enhance revenue from rates. Increasing income for local authorities will in turn enable them to improve services. Give local authorities the key, and they will open the door for development.

Author: Maurice Mbolela is Executive Secretary, Local Government Association of Zambia

How Roads Make Land Available

India is a huge country. Travel by rail or air and you see miles and miles of land without a single house anywhere. The land must be colonized for human habitation. And the way to colonize space is by transportational links, of which roads are the primary means. Connect Village X to Town Y through a road and immediately more land is made available for the citizens of the town. Land prices come down in the city-centre as more people stay a little distance away and commute to work.

From 'Free Your Mind: A Beginner's Guide to Political Economy' by Sauvik Chakraverti

Management & Delivery of Land in Zambia

Milton Mabuya

Land is the most fundamental resource in any society, because it is the basis for survival. It makes possible basic functions that support human existence.

In Zambia under the current land tenure system, customary land is estimated at 94% and state land at 6% of the country's total land area of 752,614 square kilometers. Of this total land mass 9% is reserved for forests, while national parks account for 8% and game management areas for 22%. However, population increases have created localized pressure for land and problems of access and equity. Without a definite management and delivery system or policy in place, it will be almost impossible to avoid pressure on land allocation for development purposes.

The 6% to 94% ratio between customary land and state land is itself an imbalance that should have been corrected soon after independence. What is today called state land was then called crown land, and was meant to serve a small white settler community.

All land is vested in the President, who holds it in perpetuity on behalf of the citizens. However, the President does not have the same flexibility when dealing with customary land as when dealing with state land.

Customary land is abundant, in comparison to state

land. Yet there are no clear structures for its management and delivery for development. The current procedure for administering customary land and converting it into state land is neither effective nor efficient enough to meet the country's current developmental needs. Consequently, the demand for state land completely outstrips its supply.

The chief, unaided and without administrative resources such as land registers, survey diagrams and data to determine the ability of the applicant, is expected to deliver large parcels of land, while the role of the local council is usually that of just formalizing the decision. This situation makes chiefs vulnerable to all sorts of vices. These include corruption, which they tend to mistake for the 'gifts' which they are traditionally entitled to receive from their subjects.

Only state land offers some form of security for large scale investment and economic activities, yet it comprises just 6% of the country's total land area.

State land is managed by career officers such as land surveyors and land economists. These professionals cannot function or operate on customary land despite its size.

The critical shortage of state land has been made severe by the mismanagement and poor supervisory role of the President's land agents, namely the Ministry of Lands, operating through the Commissioner of Lands, and the Ministry of Local Government, operating through local councils.

While there are adequate laws to manage state land, Commissioner of Lands officials and council officers have both miserably failed to implement them. They have allowed development of unplanned structures and large scale speculation, which has increased land values in urban areas to rise beyond reasonable levels.

The current situation, which has no effective controls, is like putting a dog to guard a parcel of meat. Inevitably it has encouraged corruption and abuse of office on the part of supervisory officers.

There is urgent need for the government to put in place a land policy that will be able to meet the present and future requirements of this country.

Author Milton Mabuya is a Property Consultant

Quotations of the Month

What is common to many is taken least care of, for all men have greater regard for what is their own than for what they possess in common with others.

---Aristotle

Poverty and prosperity are not usually matters of land. Poverty or riches depend on man, on his culture, and on his Political arrangements.

-Peter Bauer

My only ideology is pragmatism

-Nicolas Sarkozy

Topical Article

Employment by Government

Moneyweb Interview of Leon Louw on Public Sector Strike
11 June 2007 23:07

Interviewer, Alec Hogg: We all know that there's a public servants' strike going on at the moment. Leon Louw is the executive director of the Free Market Foundation. We've asked him to come into the studio, to answer a few questions. A couple of weeks ago Helen Zille from the Democratic Alliance was on this programme, saying, maybe we should be asking what is it that the public servants are delivering, that they are requiring such a big increase. Leon, there's no question that in a freer market, if you are delivering a product or a service which is of a superior quality, you get paid more for it. But the trouble with the public service at the moment seems to be everybody is upset with the standard of delivery, and yet you have those same people who are doing the poor deliveries wanting to take more money from those who they serve, the taxpayers. We seem to be forgetting this somewhere along the line.

LEON LOUW: Well, I don't think so. We need to

understand that if you're a worker or a unionist, you do the rational thing in your self-interest, which is to bargain for higher wages and to use the legal powers at your disposal. The problem isn't with the unions or the workers, in my view, but with the system, in two senses. One is the labour law, and the other is the degree to which the state does things itself. The state, for example, can be responsible for providing roads, but it doesn't mean it has to build the roads, indeed it doesn't. It outsources them to private contractors, and how much those workers get paid then is not the state's business. That's then between whichever contractor it is and the buyer, which in that case happens to be the government. So I think the problem is that we need to not so much have a view on whether workers or unions are behaving correctly or incorrectly. In my view they are behaving correctly, they are behaving rationally, given their circumstances. And that is what the system asks them to do. People often ask me, would I comment on the latest forex scam or whatever, and I always say, why do you think it's news? It's news if there isn't one. If you create a law that lends itself to this, it's not news when it happens. This is what the law asks for.

INTERVIEWER: So the structures are where the issues lie?

LEON LOUW: It's the institutions, to use the technical term. It's the institutions, twofold. One is the labour law which in the 1970's and early '80s took South Africa down a disastrous path of labour relations, which is the Marxist paradigm of labour versus capital. It's not the new order, the new government, the post-apartheid, it's not political left or anything. It's in fact the old order which, instead of going the route of many other countries of regarding labour relations as between an employer and an employee, imposed industry-wide collective bargaining, that amounts to people enforcing their contracts on non-participants. So unions and employers who want a completely different arrangement aren't free to have it, they are bound by an industry-wide deal. The state is by far the biggest employer, so when the state is trying to get an industry-wide deal, it's potentially catastrophic, potentially crippling economically and financially, and what you need is firstly the state itself to be unbundled. So you don't have civil servants versus the state. You don't want one minister negotiating with one union over countless different working contexts, different types of jobs. If you have a one-

size-fits-all, you must expect a one-catastrophe-fitting-all. And that's what we've got. So what you want to do is a number of things. One is you want to change the labour law so that each work context has its own situation-specific and relevant agreement that's negotiated by those people, for those circumstances, under those conditions. And you don't try to have the same deal that's appropriate for workers in a parastatal being applied to workers in a licensing bureau, for example. I mean they are completely different.

INTERVIEWER: And at the moment you do.

LEON LOUW: At the moment you do. The other thing is that the state should really review whether it should be doing all this stuff. It is much cheaper, much more efficient, much more effective and, from a labour perspective, infinitely better for the state to outsource or privatise or take the advantage of competition - competition, by the way, that doesn't drive wages down, but drives them up. Contractors have to attract workers, have to attract skills in order to get contracts.

INTERVIEWER: But Leon, where we are at the moment, as a taxpayer, one gets unhappy by the fact that you're getting a poor delivery, and now you've been demanded that you have to pay more, substantially more, for that poor service, and there's no guarantee that in fact the service is going to improve.

LEON LOUW: Absolutely. And we must say why do we have that bad service? And we have that bad service because the sole supplier of a huge range of services is the state. And the state is inevitably and by its nature going to be less efficient, and not just at delivery, less efficient at dealing with unions.

INTERVIEWER: And yet there's a view amongst people in the public service that the state can do things a lot better than the private sector. Is there any factual basis for that kind of a philosophy?

LEON LOUW: No, and it's actually impossible. And the reason it's impossible is that everyone in the private sector regards a busy day as a good day, from the bottom worker up. Everyone in the government sector regards a busy day as a bad day. You can't change that. That is inherent in the nature of the two. It cannot change, it never will change and that is why all countries in the world where more is

done by the private sector are the countries that are wealthier and have the highest growth and, by the way, the highest wages and the fullest employment. So it's a sellers' market for labour. What unions need to be demanding of the government is to increase demand for labour. The way you do that is to increase competition amongst people who employ, and those are the private-sector contractors.

INTERVIEWER: You have all this understanding. Clearly there are people who don't share the same knowledge base that you do. As a personal perspective, does this frustrate you considerably, the fact that the message is maybe not being heard, and not wanting to be heard?

LEON LOUW: Well, it does but, on the other hand, we must understand that if you come from the opposing paradigm, and let's say you are a member of a the communist party or you're a hard-core fascist or racist or whatever it might be, I think you have grounds to be more frustrated. In other words, I think as pro-market economic liberals, the tide has been more in our direction ideologically and philosophically than in the direction of other paradigms.

INTERVIEWER: So at least you feel you are making some progress?

LEON LOUW: No one ever gets victory, no one ever wins, you get frustrated about the lack of people understanding issues, in our case very simple, really non-contestable issues. But, on the other hand, I am sometimes comforted by the fact that I'm not on the other side.

Leon Louw, is Executive Director of the Free Market Foundation and a former nominee for the Nobel Peace Prize

Economics Without Tears with DISH

The Science of Economics

Physical science follows the law of cause and effect. Scientists examine what actions or interactions produce what effects. Heat water to a certain temperature and it boils. Propel an airplane of a given weight and configuration along the ground at a certain speed and it becomes airborne.

The social sciences, which include economics, are

also governed by cause and effect, but in a different way, a way which defies precise prediction. This is because social science is concerned, not with physical substances or forces, but with human beings. People have minds, which make choices in response, not to physical influences, but to incentives. This response to incentives is the essence of social science.

In the area of economics the major incentive is price. Raise the price of a commodity - rice for example - and the demand for it will decrease, while the supply will increase. A higher price provides consumers with the incentive to economize on the use of rice, or to switch to an alternative, like maize meal or bread. At the same time it acts as an incentive for farmers to plant more rice and for traders to source more of it for sale. Here the general effects are well known, but their exact influence on prices and quantities are unpredictable.

To give another example, a government may want to introduce a law to control rents, so as to make housing more accessible to the poor. That sounds simple. Yet the required result may be elusive. Lower rents will certainly make rented accommodation more affordable. But rent reduction may also make it less available. Owners of housing units may decide to withdraw them from the market, or may economize on maintenance. Potential developers may decide against further building. So although the intention of the law was to make housing more attainable for the poor, its outcome may be quite different.

To conclude, the relationship between cause and effect is as fundamental to the social sciences as to the physical sciences. However, it is highly complex, and therefore extremely difficult to forecast with accuracy. This can defeat the best efforts of those who seek to regulate rents, wages, exchange rates or prices. That explains why in economic matters there is often a big gap between intentions and consequences, and why it is generally wise to let people decide these matters themselves through free and competitive markets.

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Book offer

The Institute of Economic Affairs (IEA), to which ZIPPA is related, has recently published two small paperbacks, which we can offer at special prices to Zambian readers of the Journal.

'Adam Smith A Primer' by Eamonn Butler price K45,000

This is a mind-opener to those who assume that the founder of economics, who wrote 'The Wealth of Nations' over 200 years ago, is out of date. Smith was a philosopher with a wide range of interests. Far from being an out and out capitalist, Adam Smith was very suspicious of business people. He had an incredible understanding of economic matters, and many of his views remain highly relevant today.

'Catholic Social Teaching and the Market Economy' by several writers price K65,000

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Future topics

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