

Local Political and Institutional Structures and Processes

A summary report prepared for the UNCDF symposium on Decentralization Local Governance in Africa

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African countries are at once regarded as centralised and excessively decentralized. The formal state structure is centralised but society is decentralised—and people live in scattered rural communities, although this is changing rapidly as more people move to the continent's growing cities.

In the last few decades, some African countries have embarked upon decentralization programs and policies that are different from previous efforts in two main senses. First, their primary objective is to empower the people as a part of the effort at democratizing state institutions and initiate/support local self-governing structures, not the extension of state control. Indeed, some countries have construed the building of the capacity for local democracy and working upwards as a more viable strategy of state democratization rather than the simultaneous democratization of all of state institutions.

Second, there is a growing appreciation of the need to develop not local government as such but local governance. This implies not only the vertical transfer of responsibilities and resources from central to local governments (the conventional conception of democratic or devolutionary decentralization, DD) but also the development of horizontal networks between local governments and local non-state actors: the private sector, civil society, and international organizations. Such networks facilitate local governance in three ways. First, they help to mobilize additional resources for local level development that would have remained dormant. Secondly, and perhaps, more importantly, they enhance the accountability of local level political and management officials. As discussed below, accountability of local governance institutions constitutes a major problem of democratic decentralization programmes. Thirdly,

synergies between these institutions lead to innovations and higher levels of productivity as disconnected structures are networked into a common framework at the local level.

A number of countries in the continent, have continued with the old approaches to decentralization, which aggravate central control over all local activities for reasons that seem sound—weak local capacity, fear of local corruption, communal and ethnic insurrection etc. However, this paper focuses on innovative experiments to highlight how they have tackled the dilemmas that confront DD in countries characterized by state weakness, grinding poverty and poorly institutionalized state structures.

In particular, the paper focuses on two key questions. First, has decentralization produced mechanisms to mediate relationships between the central and local governments that support and facilitate strong and effective local level governance? One of the most important lessons of successful decentralization programs is that DD involves the re-definition of central and local government *tasks* and *resources* and neither of these can be achieved without effective mechanisms for facilitating intergovernmental relations. Effective intergovernmental relations require institutional mechanisms that support the redefined relationships between central and local organs to achieve the objectives of DD. This is important given strong open and subtle resistance to DD by central level actors.

Second, has decentralization fostered the development of inter-local organizational synergies at the community level. This is the effort to build critical institutions for local governance involving both state and non-state institutions. This last issue is important because one of the strongest arguments against DD is fear of creating local despotism, which further undermine local development. This paper highlights a number of mechanisms created by communities—in urban and rural areas of Africa—to promote effective local governance. Particular emphasis is given to rural forms.

To provide a context for the discussion, the paper begins by reviewing the motivations for local government decentralization in Africa. Next, it highlights the main dilemmas confronted by DD programmes in the region. The latter will underscore among others two political problems: reluctance to decentralize and the possibility of local elite capture even when power is decentralized.

1. Patterns of African Decentralizations: Comparing Past and Present

Compared to all other regions of the world, Africa has the weakest formal local government structures, judged by size of expenditures and employees. Yet, decentralization is not new to the region. Since the colonial period, diverse attempts have been made to decentralise state structures. The economic crisis of the 1970s which was followed by structural adjustment and political reforms in the 1980s and 1990s led to new initiatives in decentralisation designed to improve state systems that were widely regarded to have failed or collapsed.

By the end of the 1990s, it was possible to classify African countries in terms of those with progressive policies on DD and those that have stuck with the old forms of deconcentration. Still in a third category

are those that have gone further to experiment with federal arrangements. A sample of countries in these different groups is provided below:

Deconcentration with nominal devolution: Ghana, Cameroon, Kenya, Malawi, Zambia

Devolution: Mauritius, Senegal, Uganda, Sierra Leone, Mali, Cote D'Ivoire, Nigeria, Tanzania

Partial Devolution (Urban Areas Only): Namibia, Mozambique, Botswana

Federations: Republic of South Africa, Ethiopia, Nigeria, and Tanzania.

2. Factors Motivating Democratic Decentralization (DD) in Africa

The following factors help explain the renewed interest in new programmes and policies on democratic decentralisation in Africa from the 1980s:

- 1) The failure of centralised public sector management evidenced by economic, fiscal and political crises. The resulting decline in state resources increased pressure for economic, institutional and political reforms as part of the search for new paradigms of governance.
- 2) Pressures for political reforms by domestic actors outside the state, many of who had become more visible politically, and more sophisticated in their critique and protest of state policies as the economic crisis bit harder. State officials, in response, sought institutional arrangements that could bridge the wide gulf between the state and the citizen in the policy processes and the synchronisation of informal local realities with the highly centralised structures and operations of the (formal) state system.
- 3) Pressure from external donors: an important consideration given the fact many African states are heavily dependent on donor funds for development expenditures.
- 4) Growing urbanisation and metropolitanisation in most countries. Urbanisation is variable in Africa but it is marked everywhere by high rates of growth. This phenomenon is itself also a symptom of fundamental changes to the modes of economic production.
- 5) The use of decentralisation by ruling groups to neutralize or seek compromises with regional or local elites. It played a role for instance in the resolution of the long conflicts in Ethiopia, South Africa and Mozambique and looks promising in the resolution of raging conflicts in the Sudan, Morocco, Angola, Senegal, the two Congos etc.
- 6) The pressure for globalisation compelled many national governments to focus their attention on strategic issues of national economic and political management. Detailed management of cities and communities could be conveniently left to other institutional actors—some of which, like

the religious and philanthropic institutions, have in the past demonstrated their capacity to undertake local economic development.

3. Dilemmas of DD in Africa

Political Dilemmas

Devolutionary decentralisation confronts two major political problems. The first is the unwillingness of political and administrative leaders to share monopoly power—inherited from the colonial period. This is in part due to fears that devolution might undermine national cohesion and fan the embers of secession in societies in which ethnic and community loyalties are quite strong. There is also the fear that devolution might compromise the integrity of nationally delivered services. In many instances, these rational fears are often a cloak for the fear on the part of ruling elites at the center of loosening their grip on political power. Devolution is viewed as a zero-sum power game—in which local actors gain at the expense of the centre—rather than a positive-sum power game in which all players—both local and centre gain over time. A second political dilemma is the problem of local elite capture. In many instances, it is local elites rather than the most vulnerable that capture decentralised power—which is then utilised to repress local minorities—including women and other marginal groups.

These two political dilemmas must be overcome before any country can have effective and institutionalised local governance systems. The first problem has been overcome in a number of countries but none can be said to have fully tackled the second problem. Evidence exists that shows that some countries have been able to forge a political coalition to get DD adopted. Critical institutions include constitutional re-arrangement of responsibilities and powers of central and local governments, the constitutional transfer of funds to local governments and the transfer of the power to make and approve own budgets and personnel, including those transferred to the local governments from the national governments. Elaborate systems of fiscal transfers have been put in place in countries such as Nigeria, Uganda, and Ethiopia—which ensure that substantial national resources are made available to cash-starved local organs. Human resource management systems have also been developed at the local level, making them almost at par with the national level governments. On the other hand, very few countries have been able to tackle the second problem of developing effective local government structures that promote accountability, public-private partnerships and effective services delivery at the local level.

Economic and management dilemmas are secondary to this paper but critically linked to political reform.

Economic dilemmas

Economic dilemmas include: (1) Most of the advantages of DD are based on their contributions to the *allocative* functions of government, but decentralisation can complicate *stabilisation and redistribution*, as DD limits the ability of the centre to control local spending; (2) DD without wider institutional, political and economic reforms is a contradiction, as the improvements in allocative efficiency can only be realized if local governments are accountable to citizens and have the capacity to perform; (3) Many countries undertake decentralization to reduce budgetary pressures, but decentralisation in the early stages often involves heavy development and capacity building costs.

Management dilemmas

Management dilemmas include the problem of appropriate institutional design that respond adequately to the above-mentioned problems and how to sustain the programme of decentralisation once initiated. The problem is compounded by the absence of reliable data on governmental performance and also by weak capacity at central and local levels. This third set of problems are usually the most difficult to resolve. Some of the most difficult design and management issues include how to make decentralisation policies applicable to all parts of a country, given their different levels of development—including the possibilities of adopting a phased approach; and how to transform the zero-sum game perception of decentralisation into a positive-sum game in which all sides gain.

4. Intergovernmental Relations Mechanisms for Effective Local Governance

The first political challenge of DD is how to develop mechanisms to ensure smooth intergovernmental relations in the allocation of responsibilities, finance and human resources management in selected countries. Some cases are discussed.

Nigeria started DD reform early, but it was also closely associated with the effort at political and economic reforms in this troubled country. The military took over power for the first time in 1966 and after staying in office for ten years began to implement a programme of democratization. Local governments were perceived as one of the five key principles for the restoration of civilian government in a way that would arrest the abuses of the past. After a series of consultations in 1976, a nation-wide programme of local government reform was announced. This programme included all the principles of local government or DD reforms enunciated above—autonomous local governments with clearly articulated responsibilities and financial resources. The Nigerian federal government felt that the LG reforms would help to disperse the country's public sector investments and to redistribute basic amenities to all parts of this huge country. In this, they have been largely successful. Key mechanisms highlighted in the full paper include:

- 1) the constitution of 1979 and the country's subsequent constitutions (1989, 1995, 1999) that progressively incorporated major decentralization reforms;
- 2) emergence of a permanent body on fiscal revenue mobilization and sharing among federal, state and local governments;
- 3) creation of special-purpose bodies (Directorate of Foods, Roads and Rural Infrastructures; the Community Bank) to work with local governments to promote rural development; and
- 4) adoption of a unified model for human resource management.

Ethiopia was ruled for many years first as a feudal empire then as a highly centralised Leninist military socialist state. Ethiopia adopted a new federal constitution in 1995 which stipulates that 'every nationality and people...has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits...' The regions vary widely in population and competence. They have wide (residual) powers including the ability to secede from the federation. They are empowered 'to establish a state administration that best advances self-rule and a democratic order' in their states. Their responsibilities include the formulation and execution of economic and social development policies, land and natural resource, state police forces and maintenance of public order. Below the regions are zones, woredas (or districts) and kebeles (communes) —all of which are assigned specific responsibilities within the province of the state but devolution is mainly felt at the level of the woredas. They formulate their own budgets and have assigned responsibilities. The full paper will review the mechanisms for finance, and human resources management in the new Ethiopia federation and discuss the challenges confronted by the resource-rich versus the poor-resource based states, including how this affects the arrangement for human resources management.

The full paper will also discuss national mechanisms in Cote D'Ivoire and Uganda for sharing responsibilities (the constitution and the statute), financial resources (the fiscal commission) and the management of human resources (the district service commissions). It will also argue that DD programmes require the making of critical choices concerning the level of differences they can allow between different parts of the same country.

5. Building Effective Inter-organisational Relations at the Community Level

The second major political problem that DD efforts confront is how to build effective organs for participation and accountability at the local level. These must ensure that the expectations of higher levels of public participation, transparency and accountability are actually met at the local level and preclude local elite capture.

This represents a dilemma for the design of DD systems. Local elites are required for the success of local government systems—they bring resources, knowledge networks that make these systems become fully operational and effective. At the same time, they must not be allowed to exclude the masses of the people—otherwise serious problems of equity, responsiveness and corruption at the local level are raised. The key is to create institutions that enhance public participation, accountability and the transparency of local level institutions to their constituents.

The question then is—what types of institutional mechanisms help to effectively neutralize local elite capture? This issue raises another dilemma. Many countries have tried to resolve the problem of accountability of local governments by asserting central supervision and accountability of local governments to higher organs of government. Unfortunately, these have not produced the best results either—partly because central governments also have problems maintaining effective accountability regimes at national and local levels. For instance, central officials abuse the audit process in many countries. A combination of mechanisms of central government (including field administration) and local accountability is often needed, but what constitutes the balance between the two?

Available research shows that designers of DDs poorly understand this problem. Few efforts to design appropriate mechanisms have been particularly successful, although there are some cases of note. We review key institutional frameworks for participation, accountability, and more effective information flows between LGs and the public. These mechanisms tend to promote participation, transparency and accountability together, although a variety of tradeoffs and complications occur:

Size of Local Governments

Large LGs are expected to facilitate the provision of basic community—and in some cases—regional services. Many countries have learnt though that large size is not necessary to take opportunities of scale—as such opportunities can be developed though contracting and joint–production of services. On the other hand, small local governments has often led to the creation of several tiers of local authorities, with serious implications for available fiscal and human resources.

Local Assemblies

Local assemblies are expected to provide oversight over the executive. In many instances, local executives exercise much more power. As with the central legislatures, local assemblies are often incapacitated to make contribution to the policy process or to hold the executive accountable. A variety of instruments have been developed to tackle this problem in different countries and will be reviewed.

Local Elections

Compared to national elections, local elections have not been seriously studied. Some countries have not even allowed multiparty elections at the local level even though they permitted political competition at national levels. Elections constitute a major form of *participation*, as indicated by the voter turn–out figures. They are also critical for *accountability*—whether or not representatives are responsive or

accountable to their electors. Finally, they provide *information* to the electors. The constituency mode is said to assist in terms of equitable geographical representation of the local electorate whereas proportional representation helps reflect associational forms more effectively. Key arguments on the extent to which local elections reflect majority versus minority interests are reviewed. This will also lead us to an examination of the arguments for elective and selective councils, for party-based versus non-party based LGs and for constituency –based versus proportional representational forms at the local level.

Political and Administrative Structure of the Councils

There are different council management systems. The most important forms are the weak mayor and the strong mayor systems. In the latter, the whole community elects the mayor or chair of the councils into the council who serves in an executive rather than ceremonial capacity.

Other accountability/transparency mechanisms reviewed include the following: forms of *voice options*—civil society, media, public meetings, formal grievance procedures, opinion surveys; budget tracking experiments. *Exit* options have been used in a few countries (Cote D’Ivoire). A related issue is that conventional forms of accountability, which are usually indirect, are being supplemented or replaced in many countries by direct forms of accountability (e.g. participatory budgeting, service delivery surveys). The two Municipal Development Programmes—one each for southern/eastern and western/central Africa—have made these major aspects of their programme of assistance to local governments.

In the full paper, the following will be highlighted: Participatory Budgeting; Social Funds; Integration of Informal and Formal Structures of Governance; New School Management Approaches; Community Banks; Media; and Joint Action Planning

6. Conclusion: The Challenge of Polycentric Local Governance

This final section pulls together the lessons from the cases. It examines the prospects and constraints of polycentricity in Africa, given political and economic contexts that have led to the convergence of Francophone and Anglophone traditions away from earlier commitment to monocentricity that has brought so much misery to the continent.

Questions for Discussion

- * What—legal, cultural, political, economic etc— factors explain decentralisation in the countries with which you are familiar?
- * How effective are the following mechanisms in promoting central-local relations: constitution, rev-

enue transfers from national to local governments, local government service commissions? What factors influence effectiveness?

- * Should local elections be party or non-party based? Why?
- * Has DD resolved or aggravated differences between different parts or groups within the same country? What policy/institutional instruments are available to tackle this problem where it exists?
- * Are social funds and joint action organs more effective in tackling poverty in rural communities when they work with local governments? How can local governments become effective institutions in working with these institutions?
- * What factors explain the effectiveness of different models (integrated, separated and unified) of human resource management in different countries?
- * To whom are local governments accountable—the central government or their own citizens? What are some of the major benefits and weaknesses of local governments' accountability to central governments? How can greater accountability to the electorate be secured? In answering this question, consider some of the novel ways by which the indirect forms of accountability are being supplemented with direct forms at the local level. What factors explain the differences in the effectiveness of indirect vs direct forms of accountability?
- * Local governments are theoretically expected to be more transparent than central or regional governments. In many countries they are not. What factors foster opaque local governments and what has been done successfully to tackle these problems?
- * How effective are the following institutional mechanisms in enhancing the goals of DD in any programme of decentralization with which you are familiar:
 - * Decentralisation secretariats
 - * Ministries of Local Government
 - * Planning Agencies
 - * Local Courts
 - * Traditional Chiefs
 - * Audit Commissions
 - * Community Development Organisations
 - * Parents Teachers Associations
 - * Social Funds
 - * Service Delivery Surveys?

About the Author

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