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Kampala, Uganda. Photo: CLGF.

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EDITORIAL

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The **CLGF Research Colloquium**, generously hosted by the Uganda Management Institute in Kamapala in May2013, produced many outstanding papers, several of which are published in this issue. Our thanks to many of the staff and students of UMI, and to **Lucy Slack** and **Gareth Wall** from CLGF, who made the colloquium such a success.

Phil Amis, Chair of CLGF's Research Advisory Group, in his OPINION piece, looks at the future of local government in the Post-2015 development agenda. From a critical reading of documents by the UN task team on the new Sustainable Development Goals (SDGs), and the High Level Panel of experts he concludes that local government will have a core role in delivering most of the new SDGs, and calls for explicit recognition of its role. He suggests a way to overcome the problem of defining 'targets' at local government level, through a hybrid approach that retains national SDG targets, but sets an explicit aim gives of disaggregating and implementing these at local level.

Two RESEARCH & EVALUATION papers explore Uganda's much-vaunted local government, introduced in the mid-1980s and in the 1995 Uganda Constitution as a way of restoring state credibility in the post-war reconciliation process. **Lazarus Nabaho** from UMI gives a stinging critique of the 2005 Constitutional Amendment, which gave central government powers to hire and fire Chief Administrative Officers, resulting in split loyalties for the CAOs, and weakening their local accountability. **David Ssonko** argue that this ambitious and politically driven programme has had mixed results, due to central interference, a politically-driven increase in the number of districts, gaps in service delivery and endemic corruption.

From the UK, **Andy Asquith** revisits local authorities that he studied in the late 1990s to see how they have adapted to the left-of-centre Labour Government's reform programme. His sample of two London boroughs (with different politics), a northern city, two rural counties, and a southern market town, were classified as 'transactional', 'community', 'business' or 'entrepreneurial- citizenship' oriented, and he found the latter in the ascendency with an LG renaissance under Labour control.

EDITORIAL

In Ghana, the role of social accountability in deepening local democracy is explored by **Rudith King**, **Amponsah Owusu**, and **Imoro Braimah**, who found that despite legislative backing to improve public finance through civic engagement and transparent budgeting, the weak capacity of Assembly Members hindered effectiveness. **Hamza Zakaria** examines controversy over Ghana's public sector performance, and uses path dependency theory – which suggests that the timing and sequence of events matter in policy development – to explore the new donor-backed performance-based grants based on a Functional Organisational Assessment Tool, are having an impact. Meanwhile **Nicholas Boamah** examines the thorny issue of local government finance and the wasted potential of property tax as a viable source of revenue, due to weak administration, public contempt and perceived corruption in his detailed study of its application in Offinso South Municipality.

David Mandiyanike looks at the history of Zimbabwe's uneasy rural district councils, an amalgam of former settler-run rural councils and district councils, at the uneven progress of capacity building between 1994 and 2001, and its erosion during Zimbabwe's post -1999 political and economic crisis with problems such as strong ZANU-PF, council suspensions and war-vet invasions, **Daniel Tonwe** and **Osa Osemwota** explore the challenges of integrating traditional leadership into modern local government in Nigeria, arguing that the continuing public respect for traditional rulers should be embrace and leaders should be involved in strategy development and implementation. Finally in the **Angelita Kithatu-Kiwekete** reports on a comparative study of the revenue-raising potential of semi-autonomous utility agencies in Nairobi and Johannesburg.

In the POLICY & PRACTICE papers, from Australia **Grahame Collier** and **Rebecca Jones** report on the highly successful *Urban Sustainability Support Alliance,* a large and faceted NSW-wide programme, running from 2007 – 2011, that significantly raised sustainability awareness amongst its local authority targets. **Gad Ruzaaza Ndaruhutse** argues that a community-based model of local health care training, can transform health care provision in local government jurisdictions of Uganda. **S'bonsile Zama** focuses on Dipaleseng Municipality, Mumpalanga in South Africa to how inadequate service provision contributed to the 2009 riots that gripped the region in protest against poor housing and service delivery.

Local Government: How does it fit into the Post 2015 MDG Agenda?

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Introduction

A complex process of global consultation is currently under way to discuss the shape of the MDGs Post 2015. The aim of this paper is to address the question of where Local Government (LG) should fit into this debate, as a modest contribution to the ongoing consultation process[1]. The paper is structured as follows: the first section describes in more detail the global consultation process on the Post 2015 agenda; the second describes how Local Government relates to the current MDGs; the third section explores how some of the consultation documents see the role of LG before considering what the role of LG could be in the new agenda. The final section speculates on more radical roles for LG, in terms of what we should be asking for, and suggests new roles for LG in partnerships with other civil society organizations in poverty reduction.

This is a policy paper rather than an academic one, and represents only the views of the author, and is not associated with official positions of the University of Birmingham or those of the CLGF Board.

The on-going MDG consultation process

The current MDGs are targets for 2015. There is now a complex process of consultation about what should replace the MDGs Post 2015. The current MDGs were approved unanimously by all UN member states on the 8th September 2000, followed by further negotiations on the exact formulation, agreed at a World Bank meeting in March 2001. The outcome was a division of labour between the Bretton Woods organizations, with the World Bank and IMF continuing to control production of Poverty Reduction Strategy Papers (PRSP) and the UN driving the MDG Process (Hulme & Scott, 2010: 4-5).

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[1] This is an update of a paper presented at the Commonwealth Local Government Research Colloquium, Ugandan Management Institute, Kampala, Uganda, 13-14 May 2013

The MDGs as we know them were contained in a four page annex the, *Road Map Towards the Implementation of the United Nations Millennium Declaration,* passed late in 2001. The process was led by Kofi Annan, and was a considerable personal achievement, reaching an almost unique level of global agreement and consensus. However what is striking about the process was the extent to which the low and middle income countries, the subjects of the targets, had very little input into the process. Goal 8, *Develop a Global Partnership for Development* was the only goal with a major input by developing countries on what the developed countries should do (Hulme and Scott, 2010: 5). Nevertheless, the MDGs were a global consensus on time-bound development targets and gained a level of *'sustained attention that is unprecedented for any UN development declaration'* (Hulme and Scott, 2010: 5).

The process of consultation on the Post 2015 agenda has two strands. First was a process led by all the UN agencies with an agreed a common position, led by the UN system task team on the Post 2015 UN Development Agenda. They produced a document, *Realising the Future we Want for All* as a report to the Secretary General (UN, 2012). This is an important document and represents the results of collective work and a position paper of all the UN agencies represented in the UN system[2]. The purpose of this report, as noted in its summary, *'is to serve as the first reference point for the broader consultations to take place'* (UN, 2012: ii).

Meanwhile a range of national and international consultation processes are on-going to provide inputs into the process, with the UNDP mandated to provide leadership. A special session of the general CLGF conference in Kampala (May 2013) was devoted to contributing to the process.

The second major document is entitled *A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development.* The report, prepared by the 'High-Level Panel of Eminent Persons on the Post 2015 Development Agenda' (hereafter referred to as HLP, 2013), was published in May 2013. This document, without really acknowledging it, follows much of the groundwork of the UN reports and reworks some of their themes but, critically, identifies an indicative (or illustrative list) of twelve goals and 54 targets that provides a much clearer focus of the potential shape of the Post 2015 MDGs. This paper considers these and the role of LG in more detail later. It is likely that the goals and targets are the main concern of the November 2013 inter-governmental negotiation in New York, rather than more general development statements.

The end point of these processes is that sometime in late 2014 or early 2015 there will be a resolution submitted to the UN assembly with a view to creating and endorsing the MDGs mark 2 (sometimes

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[2] This paper is to a large extent stimulated by two events I attended in October 2012 the EADI meeting and the celebrations of 50 years at the ISS (Institute of Social Studies) Den Hague, and an *addenda* to the CLGF Board meeting. Prof Rob Voss discussed the UN process and the relevant documentation while at the CLGF meeting we were briefed by the UK official from the secretariat supporting the High Level Panel of Eminent Persons.

called the Sustainable Development Goals, or SDGs). A few points are clear at this stage − the intention is that support should be unanimous and, more explicitly, have the endorsement of China. Anything less would be seen as a failure.[3] This has obvious significance for the extent to which subjects such as democracy, accountability and human rights are included in either implicit or explicit formulations. The role of Local Government might perhaps be one of those no-go subjects.

The role of Local Government in the current MDGs[4]

In tackling the issue of urban poverty, local governments are the main agencies overseeing squatter upgrading and the provision of public health services. In addition, in the majority of local government systems, primary health and education are LG functions, i.e. LG is responsible for planning and siting of clinics and schools, and sometimes paying for teachers and medics. In most government systems water supply is also a LG function. This is both a political reality, and is also supported by economic theory as being the appropriate level of government to oversee these functions (Shah and Shah, 2006: 10). Recent research has clearly shown the importance of local accountability in the successful delivery of public services, and that it is easier to make these systems work at the local level (World Bank, 2004).

However, LG has potentially negative levers (eg: the police and 'public order' agencies) for 'bad governance'. The evidence shows that heavy-handed control can be very effective in destroying jobs, mainly in the informal sector. This is an important insight as in many circumstances it is much easier to destroy jobs than to create them (Amis, 2002). Thus it is important to ensure that local government has the capacity to govern effectively. While LG may not on its own generate economic development, but under weak governments, there is a strong chance that poor governance will inhibit growth.

The chart in Figure 1 illustrates linkages and relationships between the MDGs and LG functions. While LG is involved in direct provision to most MDGs it also has an indirect supporting role and/or some relationship with most MDGs. The provision of basic infrastructure including roads, police and fire service, solid waste management and land use planning are all important in such capacities.

It has recently been argued that many of the benefits that high income countries enjoy are the direct results of functioning Local Government. This is significant in terms of education, health, transport, land use planning and a range of welfare provisions (Satterthwaite *et al*, 2013). Furthermore the extensive responsibility and mandate of Local Government for delivering the MDGs is also well documented. However, while LG mandate is very significant, in many cases this is undermined by the lack of resources and capability that LG has in reality. The key point, discussed further below, is that

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[3] Comment UK, official working on the High Level Panel
[4] This section is updated from the Background Paper (Improving Local Government: the Commonwealth Vision) to the 2009 CLGF Conference in Freeport Grand Bahamas)

if LG is to play a central role in delivering the MDGs it needs the resources and capacity so to do. Thus strengthening LG is a pre-requisite to meeting the MDGs, rather like economic growth is a necessary but not sufficient condition to address poverty (Satterthwaite *et al*, 2013).

Figure 1 The role of Local Government in delivering the MDGs

MDG	Fire and Police	Solid Waste Mgt	Roads	Primary Education	Water Sanitation	Primary Health	Public Health	Land use planning	Economic Development
Poverty	■■	■	■■	■■	■■	■■		■■*	■■*
Primary Education			■	■■■	■	■		■	
Gender Equality	■■			■■			■■		
Child Mortality		■■	■■	■■	■■	■■■	■■	■	
Maternal Health	■	■	■■	■	■■	■■■	■		
HIV/Aids Malaria		■■		■	■■	■■■	■	■	
Slums and Water	■	■■	■■■	■	■■■	■	■■	■■■	■
Partnership									■

Key ■■■ Direct provision, ■■ Indirect provision, ■ Some relationship. *In some LGs, bad governance can influence MDGs

Trends strengthening Local Government

Since the original formulation of the MDGs in the early 2000s it is possible to suggest that there have been some significant changes that have made LG more, rather than less important. First has been the process of urbanisation which of necessity makes LG more important as the agency delivering the majority of urban services. It is now estimated that one in seven of the World's population lives in an informal settlement (Satterthwaite and Mitlin, 2013), and the increased emphasis on urban poverty as a development issue similarly makes LG more important.

Recent narratives taking a wider and more multi-disciplinary approach to poverty with the importance of ideas like entitlements, voice and power, are also significant new developments. In the question of lack of voice, most people do not distinguish between local and central government. Thus, in seeking to make government more responsive, local government is the most important candidate.

Many of the adaptation and mitigation strategies to address climate change − in terms of preparedness for extreme weather events, and increased emphasis on energy efficiency in strategies for housing or transport − are again primarily in the domain of LG. Finally the increase global movements campaigning for democracy and the recognition of diversity (and conflict prevention and peace-building) makes LG more important. In many cases the rebuilding of local government has led the way in cases of post-conflict reconstruction. In this context the importance of fragile states in the development discourse should be noted. Finally it should be also noted that it in most disasters, of whatever sort, it is usually LG that picks up the pieces and is a major player post-disaster response.

Realizing the Future We Want for All, and the HLP

This section first considers the UN document drafted in 2012, before examining the HLP report, and then suggesting areas for potentially greater involvement for LG. For ease of comparison on various electronic versions, the referencing lists paragraph numbers of the relevant sections rather than the page numbers.

The 2012 UN report, *Realizing the Future We Want for All,* begins by exploring performance of the current MDGs − not unsurprisingly for a UN report it generally reports that this has been favourable. The political and development importance of having a universal commitment to poverty is widely supported and noted. In addition the value of having limited but measurable goals and targets is also applauded for creating some political and policy momentum around their fulfilment (UN, 2012: paras 11-16). On the negative side, the report notes a range of subjects that the MDGs did not adequately address including productive employment, violence against women, social protection, inequality, social exclusion, biodiversity, persistent malnutrition, non-communicable diseases, malnutrition, reproductive health, complexities related to demographic dynamics, peace and security, governance, the rule of law and human rights (UN, 2012: para 19). Furthermore, as frequently highlighted, the MDG framework provides no comment on the 'means' to achieve the stated objective (UN, 2012: para 20). This was justified as allowing local strategies. From a LG perspective the most relevant worth noting is that 'who' should deliver the MDGs was also not discussed

The next section considers the lessons for Post 2015. Thus it suggest that the format of concrete goals, targets and indicators should be retained; that there should be more on the means to address targets and that flexibility is needed for targets at all levels: regional, national and sub national. Finally a new there is a new list of suggestions on areas which should be included such as: climate change; inequality; resilience to natural disasters; demographic dynamics [ageing population]; dealing with urban growth; peace and security; improving governance and state capabilities; and respecting human rights and cultural diversity (UN, 2012: paras 24-27).

What is clear from this and from subsequent discussions is that some sort of new MDG framework is intended. The debate is thus likely to be around the content, and the questions around 'how' (means) and 'who' (relevant institutions or agencies) to implement the agenda.

The document then notes the global trends, challenges and opportunities to which the Post 2015 agenda should respond − which include the earlier discussion concerning changes since the original MDGs, and the potential role of Local Government in development.

The report then begins to map out its vision. First, the vision is that it should be grounded in three fundamental principles: *human rights*; *equality* (including *gender equality*) and *sustainability* (UN,

2012: paras 57-64). The report then notes the core dimensions on which the strategy will be built: *inclusive social development; environmental sustainability; inclusive economic development;* and *peace and security.* These dimensions are likely to remain as central to the overall broad framework. Indeed the HLP has recast them as the following five themes namely: *leave no one behind; put sustainable development at the core; transform economies for jobs and inclusive growth; build peace and effective, open and accountable institutions for all*; and *forge a new global partnership.*

The text from the HLP is worth noting on the role of LG thus:

[LGs] form a vital bridge between national governments, communities and citizens and will have a critical role in new global partnership.

> *The Panel believes that one way to support the role of LG is by recognising that targets might be pursed differently at the sub-national level – for example, so that example urban poverty is not treated the same as rural poverty.*

> *Local authorities have a critical role in setting priorities, executing plans, monitoring results and engaging with local firms and communities. In many cases, it is hard for local authorities that deliver essential public services in health, education, policing, water and sanitation to reach all communities. Even if not directly delivering services, LGs often have a role in establishing the planning, regulatory and enabling environment – for business, energy supply, mass transit or building standards. They also have a central role in disaster and risk management – identifying risks, early warning and building resilience. LGs also have a role in helping slum-dwellers access better housing and jobs and are the source of the most successful programmes supporting the informal sector and micro-enterprises"* (HLP 2013:10-11).

As someone who has argued the case for the role of LG in the MDGs, this is the most positive statement that I have read in a high-level UN or other policy document. This may imply that the LG and/or urban lobby for the first time is getting serious traction. This is also acknowledged in a recent publication which broadly notes the invisibility of LG to almost all official/international/UN policy statements (Satterthwaite *et al*, 2013: 24-25).

The HLP has gone much further than the UN documents in explicitly acknowledging the important role of Local Government: despite this, it is the detail of the Post 2015 MDGs negotiations that may determine the role of LG, at this stage (November 2013) clearly an unknown issue. however the general lack of interest in LG remains. In this negotiation it is difficult to know what counts, especially as, in the majority of the task force papers that support the UN process, the existence of LG is almost completely invisible. Even when LG is included, it is assumed to be subsumed in overall national governance discussions, thus denying LG any independence or autonomy (Satterthwaite *et al*, 2013).

While the main UN report is broadly positive about the role of LG the HLP is more much more explicit on its importance, underlined by the desire to disaggregate indicators below national level. This is potentially very important, but its relevance may well depend on how the recommendation is implemented in practice. It is relatively easy to imagine some indicators of poverty or education disaggregated to urban and rural targets, but the aim is to go beyond this. The potential of the approach is dependent both on data availability, and the nature on sub-national units. There is an

enormous difference between setting targets for State in India,– often with populations in excess of 50 million − and for Districts in sub-Saharan Africa. The detail and modalities still need to be addressed.

Unfortunately the detail of how LG will fit in remains to be seen. It is hoped that the HLP still remains the key text and/or influence rather than reverting to the more normal policy prescriptions that ignore LG. Figure 2 below describes the potential role for LG in the illustrative goals suggested by the HLP.

Figure 2 Potential roles for Local Government within the new Framework

	Goal	Comment	Local Government role
1	End Poverty	Replaces and reworks MDG. Still the main overarching objective as in the original formulation.	All four targets are to be disaggregated. LG as argued has major role in reducing poverty
2	Empower Girls and Women and Achieve Gender Equality	Replaces and reworks MDG 3. Wider Gender objective than earlier	All four targets are to be disaggregated. LG again involved often with local administration and regulations and with work on violence.
3	Provide Quality and Education and Lifelong learning	Replaces and reworks MDG 2. This now goes beyond primary education to includes a quality measure rather than a quantity.	All four targets are to be disaggregated. LG important via its involvement in the education sector
4	Ensure Healthy Lives	Replaces and reworks MDG 4,5 and 6. The merging of three goals into a single goal suggests how dominant the health agenda was in the original formulation	All five targets are to be disaggregated. LG important via its involvement in the health sector and through public health actions.
5	Ensure Food Security and Good Nutrition	New Goal concerned with food security and nutrition indicators.	Two out of five targets are to be disaggregated. Indirect role for LG
6	Achieve Universal Access to Water and Sanitation	Welcome new goal on water and Sanitation. Evidence suggests that it is appropriate alongside a poverty approach as in quite a few cases they are not congruent.	Two out of four targets are to be disaggregated. The provision of water and sanitation facilities is a classic and very important LG function.
7	Secure Sustainable Energy	Very important new goal that to a large extent talks to the Climate change agenda	Two out of four targets are to be disaggregated. LG important in implementing the regulations in terms of energy efficiency
8	Create Jobs, Sustainable Livelihoods, and Equitable Growth	Major, problematic and ambitious goal that talks to the economic growth and employment agendas.	All four targets are to be disaggregated. LG can be important in facilitating economic growth –issue of also not limiting employment in the informal sector
9	Manage Natural Resource Assets Sustainably	Replaces and reworks MDG 7. Seeks to address the more general environmental concerns on sustainability and biodiversity	None of the five targets are to be disaggregated. Generally a national policy but LG often important in implementation.
10	Ensure Good Governance and Effective Institutions	New goal that talks to governance and implicitly democracy and human rights. Likely to be most controversial and contentious	Two out of five targets are to be disaggregated. LG important but may be subsumed under national concerns.
11	Ensure Stable and Peaceful Societies	New goal that implicitly is addressing the issues of conflict, diversity and fragile states.	Two out of four targets are to be disaggregated. LG can be important in supporting peace and stability
12	Create a Global Enabling Environment and Catalyse Long-term Finance	Replaces and reworks MDG 8. Seen as important in building a new partnership and an attempt to widen the original formulation to include, trade, finance and commitments to climate change.	None of the six targets are to be disaggregated

Source: Author

Fully 30 of the 54 targets – remembering that they are illustrative targets and are still subject to negotiation – are recommended to be disaggregated. Indeed this figure increases to 32 out of 54 where LG is potentially, involved if the two targets concerned with municipal waste and energy efficiency are added, which both have very strong LG connections. This represents approximately 60% of the potential future targets.

In the consultation process there are clearly dangers for the shape of the Post 2015 agenda which can be outlined as follows. First, perhaps the most dangerous and predictable tendency, will be an endless process of lobbing and consultation (NGOs, UN agencies and Governments) that will result in an overload of the agenda[5]. This is understandable as there are many good causes and aspects of poverty which could legitimately be included. The challenge − and it is not an easy one − is to make effective judgements over relative priorities. This will certainly be a more complex and political process than the top-down and elitist definition of the original formulation of the MDGs. However it could be argued that HLP has done well in 'only' replacing the eight original goals with a suggested twelve.

The second danger − which goes back to the question of 'how to meet the MDGs' − is that the framework will be too prescriptive. This is likely to be exacerbated by the need for an international consensus to agree the new framework. From my discussions, it would be considered a failure if a framework was not adopted, which effectively means that some sort of consensus must be achieved[6]. This of necessity must include China. There is a potential danger that the MDGs might follow the process of the OECD/DAC (Development Assistance Committee), which drew up impressive and clear aid rules that were enshrined in the Paris Declaration on aid alignment and harmonisation in 2005, but these were substantially watered down, both through the follow-up Accra Agenda in 2008, and the Busan Declaration of 2011. It appears that the desire to include the new donors especially China meant that the text was so general as to have become almost meaningless[7]. In some cases the text is contradictory especially on the role of tied aid. The result of the need for consensus − and the participation of China[8] − is that the principles have been brought down to the lowest common denominator. The inclusion of text on fragile states and on aid transparency is the only significant and notable achievements.

The other outcome from the Busan Declaration (2011), despite minimal agreement, has been an agreed process to continue the discussion on a range of subjects, a preferred option at international meetings and/or summits where a meaningful consensus cannot be achieved. This seems to be the route that the Climate Change discussions are taking after the failure at Copenhagen and subsequent meetings in Durban (2011). It is worth noting that the relationships between major actors is more strained than in 2000 when the original MDG framework was agreed as: the EU no longer represents such a coherent block; the US is now more engaged in development; there is a closer link between the security and development narratives; Russia is more assertive, and the BRICS are more important, in particular

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[5]I think this is inevitable even if one takes a very cynical view of this ongoing 'consultation' process, it will be problematic to limit the agendas that are included.
[6] See Footnote 2
[7] In teaching, the principles of Paris 2005 are very clear to explain, whereas Busan has much less clarity
[8] China was seen as so important that when they effectively walked out on the process the then UK Minster for International Development personally flew to China to urge them to reconsider!

China whose economy is now second only to the United States. There is also a new range of donors beyond the traditional OECD/DAC group.

Assuming that some framework can be agreed – which seems likely – despite the apparent enthusiasm for considering the 'means' or 'how' questions, these may well be either left out or so compromised as to be rendered effectively meaningless. Clearly these are some of the issues that will form the detail of on-going negotiations.

The final danger is that the Post 2015 framework remains, as with the current MDGs, too donor centric, and too focused on the process of international Aid. Recent work, including the latest European Development Report[9], is seeking to move beyond aid, to a much more nuanced discussion of North-South relationships, which includes discussion of Aid and Financing (money); Trade and Investment (goods) and finally Migration (people). This immediately leads on to discussions of EU subsidies and protection of agriculture, and access to labour markets via immigration policies, with the realisation that flows of remittances and private sector investment dwarf official development aid . If we want to end world poverty then surely it makes sense to include some of these issues? Yet, while there is some discussion on going 'beyond aid', I have seen very little on implementation, but it is not clear whether this is because of technical difficulty or the likely political difficulties of changing immigration and/or agricultural subsidies in the North.

Finally in the Post 2015 process, it is worth thinking about whether, strategically, it is more important for the LG lobby to take a stance about the role of LG with the main development agencies, or argue for something in the final framework. Given the complexity and political nature of this process, both are probably equally important.

Has the LG sector suffered from not being formally included in the original MDG formulation? Did its inclusion in the Accra Accord (2008) which gave it a more formal role, actually make any difference? The point I am making is that LG in almost all systems – unitary or federal is ultimately dependent upon its own national government policies and behaviour[10]. In the end, we much accept this reality of how LG fits into the picture.

So what is the Local Government (or CLGF) perspective?

A good starting point for developing a LG perspective on the Post 2015 agenda is a recent article on the urban sector by Satterthwaite and Mitlin (2013). In this polemical but persuasive paper they note the dramatic increase in urban poverty − it is now suggested that 1 out over every 7 people in the world now lives in an informal settlement. However, official statistics consistently fail to adjust for

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[9] Presentation by James Mackie at the recent October (2012) EADI meeting at ISS, Den Hague.
[10] This is why any MDG report with LG recommendations could be seen to undermine national sovereignty.

the greater expense of living in an urban area. The data on water supply and connections are at best questionable. Furthermore that the estimates of numbers living in slums are at best estimates especially given the lack of census in many countries. The health conditions in some informal settlements are not only worse than rural areas but even than national averages, as data from Nairobi and Kenya clearly shows. The conclusion is that growing urban poverty is one of the major problems facing the South, and moreover that it will undoubtedly increase in the future (Satterthwaite and Mitlin, 2013, 7-8).

The core of the authors' argument is the success of intermediate civil society organizations like Shack/Slum Dwellers International and other federations of homeless and landless people have been effective in reducing urban poverty. These are usually relatively modest interventions but are driven by the poor themselves but crucially   through positive coalition and alliances with local government. As they put it:

> *There is evidence of the effectiveness of such an alternative approach to poverty reduction [depend on] interventions that have worked with urban poor men and women, and supported their productive engagement with local governments* (Satterthwaite and Mitlin, 2013: 9).

Strength of this approach is that it allows for collective initiatives, and that many of the problems of slums and service delivery that the urban poor face are amenable to collective provision and solution. Many of the problems slum dwellers face are related to the environment, where there is a limit to which individual welfare solutions,– such as conditional cash transfers,– can succeed. Providing these collective solutions or supporting collective consumption has always been one, if not, the most critical functions that local government does in terms of service delivery (water and sanitation); transport (roads); storm water drains and solid waste disposal, and primary education and health. While there is some evidence that these integrated urban functions are under threat[11] they remain critical for the poor.

Finally in relation to urban poverty, we face an unusual and unique situation in the increase and scale of urban poverty. We know it is politically significant[12] (and is exacerbated by the potential lack of employment opportunities for young men − angry or otherwise); and we have the knowledge and funds to tackle the situation.

There is in this approach a wider, but important, central point in that if we want to make governments more accountable and/or give the poor greater voice then the vehicle for making this happen is LG. An core element of this argument is that LG, in partnership with civil society organisations, is the key to reducing urban poverty. If the challenge is to go 'beyond government' to address poverty, then LG becomes both a critical partner and a key intermediate agency. The challenge is to bridge the gap

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[11]See the arguments around the idea of 'fragmented urbanization', which suggest that one of the major mechanisms of supporting the welfare state, and positive interventions to benefit the poor by government, is being threatened by both privatization and the rise of gated and private sector urbanization. This argument has been advanced primarily from the experience of urban development in the North.

[12] The cities of the South are potentially the weakest link in the global capitalist system.

between formal donor agencies and those who can actually deliver (i.e.: civil society organizations) for the poor.

The Figure 3 includes suggestions from Satterthwaite and Mitlin (2013) on what the international agencies should consider to include or think about in terms of the MDGs.

Figure 3 Post MDGs and development assistance in the urbanising world

Eight points for development assistance agencies to consider

1. Don't just set targets be clear about how they can be meet and by whom
2. Go back to universal targets
3. Consider where finance is needed, available to whom and accountable to whom
4. Have indicators that actually match goals and targets
5. Support local processes to generate the data needed for setting priorities and benchmarks and monitoring progress
6. Encourage and support local governments and civil society organizations to develop their own goals and targets to recognize their roles and responsibilities with the Post 2015 development process
7. Avoid vague and ambiguous statements
8. What about Climate change?

Source: Satterthwaite and Mitlin (2013: 29-30)

We need to make a similar and more creative argument for the role of Local Government, rather than allowing LG to continue as the junior partner of national government.

On reflection it is surprisingly difficult to articulate what the LG sector really wants. At a minimum, as argued here and elsewhere, we want/need to be recognised and acknowledged for what we do. However apart from the ideas of sub-National targets, do we need a more explicit role for LG? Satterthwaite *et al* (2013: 24) suggest the following key elements should be included:

- The explicit recognition of [LG] as primary stakeholders

- Attention to LG capacity to deliver on their mandated responsibilities;

- Attention to the capacity of local citizens and civil society to hold their LG accountable

What seems to be emerging is the idea of a goal/target to strengthen LG. The problem is that there is no obvious parameter or indicator to measure LG. Thus for example UK LG is highly competent but relies almost exclusively on transfers from the centre; whereas there are many LGs in sub-Saharan Africa which may have high levels of autonomy – in finance and other spheres but are unable to provide their mandated functions. In this, discussion the legal system does not suffice. What we need is political will from the centre to support LG, an approach fraught with political pressures at the local, national, and international levels. Nevertheless such a commitment, with all its caveats, might be more

acceptable to the majority of countries than some of the HLP governance targets. These may, or may not, be some of the issues currently under negotiation at the UN.

Summary and conclusion: the devil is in the detail

Commenting on the Post 2015 agenda and process is very problematic as it is observing a process that is continually evolving and one where the procedures are opaque. At the moment (November 2013) the haggling is still taking place at intergovernmental groups at the UN. Nevertheless it seems likely that the Governance targets are potentially the most contested[13].

One political escape route that emerges is the suggestions that targets should be agreed for national level, but the way they are disaggregated and implemented to be decided at the national/local level. This would potentially allow some of the more contentious targets, such as the HLP's target 10c) *'increase public participation in political processes and civic engagement at all levels'* to be interpreted in terms that are acceptable to the relevant national governments. This target is the nearest one that talks to the question of LG capacity.

Finally the core argument − that a strong LG sector is a pre-requisite for meeting the Post 2015 MDGs seems difficult to progress. The key to pursuing this is a well-resourced and capable LG sector. To achieve this we need a commitment to support LG from National Governments. This is very difficult to operationalise, and could be argued to invade national sovereignty. Nevertheless, to empower LG to play a central role in the Post 2015 agenda, this is what we need. In conclusion from a LG perspective the situation now (November 2013) is more optimistic about the Post 2015 MDGs than at the Kampala Conference in May 2013. However there is still much to play for.

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[13] I have no "inside" knowledge - the findings are interpreted from governmental positions.

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Recentralization of Local Government Chief Administrative Officers Appointments in Uganda: Implications for Downward Accountability

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Abstract

The Uganda Constitution of 1995 spelt out the principle of decentralization by devolution. Accordingly, from 1995 to 2005, district local governments had a dejure *mandate to hire and fire all categories of civil servants through their respective district service commissions (DSCs). Following the Constitutional amendment in September 2005, the right to hire and fire district chief administrative officers (CAOs) reverted to central government. Critics of recentralization of CAO appointments contend that the shift in the policy and legislation for managing CAOs runs contrary to the principles of decentralization by devolution. This paper argues that recentralization of CAOs has confused reporting, reduced the autonomy of sub-national governments in civil service management, undermined accountability of CAOs to elected councils, and shifted the loyalty of CAOs from local governments with and for which they work to central government that appoints and deploys them. To deepen accountability in local governments, the paper advocates for decentralization of CAO appointments, but for participation of central government in recruitment of CAOs within the confines of a separate personnel system. It further calls for a rethinking of the current call by the 9th Parliament to recentralize human resource in health in local governments owing to accountability challenges of managing the civil service in sub-national governments under an integrated personnel system.*

Key words: Recentralization, Chief Administrative Officers, Accountability, Local Governments

1. Introduction

Uganda made a radical shift in decentralization policy and legislation in 2005. This shift entailed central government reclaiming powers to hire Chief Administrative Officers (CAOs) and deputy chief administrative officers. From 1995 to September 2005, local governments had a *dejure* mandate to appoint and discipline all civil servants, including CAOs through their respective district service commissions (DSCs). Placing CAOs under local councils was intended to deepen accountability of the CAO to elected representatives of the people. A locally accountable CAO was deemed to be a pillar of devolved local governance.

Since recentralization of CAO appointments in 2005, the discourse on implications of recentralization for accountability in local governments has largely been at a conceptual level and has tended to echo arguments put forward before recentralization. As Manyak and Katono (2010: 8) asked,

> *Has recentralization [of CAOs] seriously damaged the accountability link between elected*
> *and appointed officials at the district and local level?*

This qualitative paper analyses the implication of recentralization of CAO appointments on downward accountability in local governments in Uganda. Data for the paper were gathered through interviewing three purposively selected CAOs and two elected district chairpersons from predominantly rural districts of Uganda, and were analyzed using thematic and content analysis. Though the findings are not generalizable to all local governments, they nuance our understanding of perverse effects of recentralization of appointment of local government staff on accountability in local governments. The paper extends scholarship on civil service management in local governments in Uganda from examining the underlying reasons for recentralization to considering the aftermath of recentralizing the appointment of the CAO.

2. Background

Uganda's current decentralization policy reform was launched in 1992 and consolidated through enactment of the of the Local Government (Resistance Councils) Statute in 1993 (Steiner, 2006; Muhumuza, 2008; Kakumba, 2008; Makara, 2009). The country's decentralization reform was labeled 'exceptional' among developing countries in terms of the scale and scope of the transfer of power and responsibilities to the local level (Steiner, 2006). Mitchinson (2003: 241) described Uganda's decentralization reform as: *'one of the most radical devolution initiatives in the developing world'*..

Under Uganda's decentralization framework, the district is the highest level of local government. Below the district are lower local governments (municipalities, city divisions, town councils, and sub-counties). The District Council is the highest political organ of local government and comprises the elected district chairperson as the political head plus a number of councilors representing electoral areas of the district and interest groups youth, people with disabilities and women) (Nabaho, 2012:79). Three fundamental innovations are discernible from Uganda's decentralization policy: a separate personnel system, intergovernmental fiscal relations, and a new power structure (Makara, 2009:137). Under the new personnel system, a District Service Committee was established in each district local government (under the Local Government (Resistance Councils) Statute, 1993 and Legal Notice Supplement 1 of 1994) and entrusted with the mandate to appoint, confirm, promote, and discipline all district and urban council employees, with exception of the district executive secretary (DES) and deputy district executive secretary (DDES). The DES was the head of the district public service as well as the accounting officer.

Following the promulgation of the 1995 Constitution, DESs and their deputies, who became CAOs and deputy CAOs under the new system, were also placed under the separate personnel system. This

in effect meant that they would be appointed, disciplined and removed from office by the District Service Commissions (DSCs). Article 188 (1) of the Constitution (GoU 1995: 98) specifically stated that, *'There shall be a chief administrative officer for every district',* while subsection (2) of the same Article stated that, *'The chief administrative officer shall be appointed by the district service commission and shall be the chief accounting officer for the district'.*

The rationale for personnel decentralization was to make all staff executing decentralized functions accountable to local governments through the CAO or town clerk as the case may be (Nsibambi, 2000). The mandate of district local government to hire and fire their staff, including CAOs and their deputies, was further consolidated in the Local Government Act of 1997. The transfer of appointments to district local governments through the DSCs was considered to be one of the cornerstones of Ugandan decentralization reforms (Bossert & Beauvais, 2002).

3. Recentralization of appointment of Chief Administrative Officers

In 2003, the Government of Uganda started rethinking the policy and local government legislation. One of the proposed policy shifts was recentralizing of CAO appointments, taking this responsibility away from DSCs. The related discourse from 2003 to September 2005 hinged on whether to recentralize CAOs or maintain the status quo. Competing views were expressed. Central government was the strongest pro-centralization voice, while the donor community and Uganda Local Government Association (ULGA) strongly opposed the imposition of an integrated personnel system on the district personnel arrangements. Japan International Cooperation Agency (JICA, 2008:21) has distilled the following as central arguments given in favour of recentralization of CAOs:

a) a central-government appointed CAO would be more protected from local political interference and pressures;

b) in view of the local government dependence on central government financial transfers, the CAO should be held centrally accountable to reduce rampant resource misappropriation;

c) recentralization would lead to recruitment of suitable CAOs; and

d) CAOs as senior civil servants would be transferable without being re-interviewed, which would reduce the turnover of CAOs and avoid equating decentralization with localization.

Let us contextualize the above issues. Admittedly, there was an urgent need to insulate CAOs from incessant and undue local political interference and pressures, but the point of contention was how to do it. Appointment of CAOs by districts − though good for downward accountability − exposed them to tremendous local pressure to contravene established regulations and procedures, especially on financial management and resource allocation (Kiyaga-Nsubuga & Olum, 2009). CAOs who did not succumb to these pressures were dismissed by their respective DSCs (Francis & James, 2003; Kiyaga-Nsubuga & Olum, 2009; Manyak & Katono, 2010). Francis and James (2003) highlight a case where a DSC of one district dismissed a deputy CAO, under pressure from the district executive, for

questioning the use of the unconditional grant for elected leaders' allowances. Central government put forward three reasons for recentralizing CAO appointments.

First, recentralization was deemed a feasible strategy for shielding CAOs against political interference and to enhance their job security. Recentralization would enable the CAO to be independent from the political control of district councils. This would in turn create an environment for CAOs to operate within the provisions of the law as it would eliminate pressure on the CAO to approve illegal expenditure. Recentralization has evidently shielded CAOs against undue local political pressure. Mentor Consult (2008: 27) found that CAOs were satisfied with the decision to recentralize their appointment. One CAO is quoted in the Mentor Report as saying,

> *We are no longer puppets of what they [local politicians] would say; those days we would be forced to do things as they wanted because it was not possible to stand up to them.*

This statement underscores the intense political pressure that CAOs were previously exposed to under the separate personnel system. However, there are justifiable fears in some quarters that recentralization may correspondingly shift political pressure on administrators away from local politicians to the central government.

Second, the rationale hinged on ensuring financial probity in the use of central government transfers under fiscal decentralization. The Local Government Act (CAP 243; GoU 1997) provides three types of fiscal transfers (conditional, unconditional and equalization grants) to local governments to implement their decentralized responsibilities (Muhumuza, 2008; Makara, 2009; Awortwi, 2011):

- Unconditional grants are given as a minimum grant to local government to run decentralized services.
- Conditional grants are given for services agreed with central government and provided by local governments, and may not be used for any other purpose apart from the one for which it is provided.
- Equalization grants are given to those local governments lagging behind the national average standards in service delivery (Makara, 2009).

By 1999, central government transfers amounted to over 93% of the local government funding (Saito, 2003). At the same time, cases of resource misappropriation were frequently reported in the media, and reports of the Auditor General. In view of the above, central government argued for powers to appoint accounting officers who would be centrally accountable for central government transfers and use them frugally for maximum service delivery. Central government would therefore be in position to sanction accounting officers who flout financial management laws and regulations, in contrast to a separate personnel system where it would merely recommend to DSCs to take disciplinary action against errant accounting officers.

Third, it was argued that recentralization would pave the way for recruitment of suitable CAOs. Undoubtedly, the recruitment arrangements for local government staff, including CAO, tended and

still tends to be inward looking and biased against candidates from other districts, favouring 'sons and daughters of the soil'− i.e. people of local origin (Francis & James, 2003; Kakumba 2003, 2008; Awortwi, 2011; Nabaho, 2011, 2012; Nabaho & Kiiza, 2013). Instead of appointing staff *'for the district from the national labour market'*, errant DSCs tend to appoint staff *'for the district from the local/district labour market'* (Nabaho, 2012: 80), limiting opportunities for recruiting people with relevant competences (IGG, 2008). The decision by the Public Service Commission to retire some CAOs due to lack of requisite qualifications immediately after recentralization lends credence to the idea that some DSCs had breached merit principles during recruitment and selection of staff.

Fourth, under a separate personnel system CAOs and their deputies could not easily be transferred to another local government jurisdiction, but had to be re-interviewed and offered appointment on transfer of service. Critics argued that this approach to managing top local government administrators equated decentralization to localization, and that the separate personnel system confined them to a rather closed system where their career progress could easily be suffocated (Kakumba, 2008). Thus, any personnel arrangement that would enable CAOs to be transferred around the country would help their career development.

However, using recentralization of the CAO to achieve the objectives outlined above has been described by critics of recentralization as *'throwing the baby out with the bath-water'*. Opponents of recentralization were unconvinced by these arguments and called for maintaining the *status quo* of the separate personnel management system for top local government staff. The Constitutional Review Commission Report, 2003 maintained the importance of having a locally accountable CAO as a pillar of devolved governance. The Commission argued that without local control of the CAO, councils would have limited control over the entire local government performance, and that central government appointment of CAOs would cut the most crucial accountability link between the elected local councils and local government staff, resulting in a snowball effect whereby local accountability would be undermined (Steffensen, 2006; JICA, 2008).

The Uganda Local Government Association (ULGA), in its submission to the Parliamentary Session Committee on Public Service and Local Government on Constitutional (Amendment) Bill No.2, 2005 and Local Governments (Amendment) Bill No.8, 2005 in May 2005, vehemently opposed recentralization of the CAO. ULGA (2005: 9) maintained that,

> *The proposal to revert to the position of LG[local government] CAOs being appointed and controlled at the CG [central Government] level is a recall of the already transferred powers possessed by LGs [local governments] in handling this particular office. It will confuse reporting and accountability. It will lead to more officers of LGs being recentralized. In the long run, the entire structure will collapse. CG already has its full representation through the Resident District Commissioner (RDC). The real outcome of the proposal in the Bill is the fact of recentralization against decentralization.*

The anti-recentralization camp also argued that the proposed recentralization would undermine the principles and objectives of decentralization, by weakening the powers of the electorate, through their

representative councils, to control technical staff. Recentralization would further raise issues of supervision and accountability of the CAO to districts.

However, those in favour of recentralization eventually won, and Parliament amended the Constitution in September 2005, and the Local Government Act 2006, to give responsibility for CAO appointments to the Public Service Commission (PSC). The status of the CAO has, since 2005, changed from one of being a district local government employee to that of being a central government employee in the district. Nevertheless, the CAO remains responsible to the elected district chairperson. Operationally, the PSC controls the appointment and exercises disciplinary control over the CAO; routine management (posting and transfer) of the CAO is a responsibility of the Ministry of Local Government, while the CAO's performance appraisal is handled by the elected district chairperson. Recentralization of the CAO has definitely changed the texture of human resource management in local governments.

During the decade from 1995 to 2005 the entire human resource management function in local governments operated under a completely separate personnel arrangement. Uganda has now gone back to the pre-1995 arrangement for managing CAOs − a move labeled by some as *'the President [Yoweri Museveni] killing his own baby [decentralization by devolution]'* (Manyak & Katono, 2010: 5). It is now evident that Uganda's local government system has a dual character: an integrated personnel system for CAOs, deputy CAOs and municipal town clerks, and a separate personnel system for other local government staff (Kakumba, 2008; Nabaho, 2011, 2012; Nabaho & Kiiza, 2013). This apparent policy shift has changed the philosophical basis of decentralization by devolution and created tensions between the philosophy and practice of decentralization (Kiyaga-Nsubuga & Olum, 2009).

4. Post-recentralization discourse on recentralizing CAO appointments

The critical question for scholars of local governance is why the provisions of the repealed Local Government (Resistance Councils) Statute, 1993, concerning management of top local government administrators were resurrected in September 2005 through amendment of the 1995 Constitution and Local Government Act (CAP 243). In other words, why did the arrangement for managing top administrators revert to a system that operated a decade earlier and that was at odds with the principles of decentralization by devolution?

The decision to recentralize CAO appointments can be explained by two principal factors: the declining political fortunes of the National Resistance Movement (NRM) government and central government's uneasiness at the extent of autonomy granted to local governments under the 1995 Constitution and the Local Government Act (CAP 243). Thus scholars challenge the reasons advanced by the NRM government for recentralization of CAO appointments, variously described 'ostensible' and 'supposed', arguing that the NRM government used corruption as a scapegoat to achieve its political objectives (Muhumuza, 2008). Skeptics of this anti-corruption strategy argue that

corruption cannot be tacked by centralizing the office of the CAO, and that corruption at the local government level should be tackled by strengthening the local mechanisms of accountability and improving national oversight agencies such as the Office of the Auditor General and the Inspectorate of Government (Oloka-Onyango, 2007). Improving local accountability resonates well with the principal-agent frameworks which hold that corruption is a function of monopoly plus discretion less accountability (Klitgaard, 1988). CLGF (2007) casts doubt over the potential of recentralization to curb corruption by arguing that the CAO with central allegiance would be operating in the same corrupt environment.

Scholars further attribute recentralization of CAO appointments to electoral politics at the national level. From 1986 to 2005, the NRM established a *defacto* one-party system which; its proponents called 'no party' or 'movement', but which critical observers aptly noted simply meant that no other political party had a role in the governance of the country (Makara, 2009). This period also witnessed CAOs performing an additional role of retuning officer on behalf of the Electoral Commission during national and local council elections. Quite often, the NRM establishment accused CAOs of being 'multipartists' prior to the ushering in of 'multipartism' in 2005. In the past, where the NRM lost in elections, President Museveni accused CAOs of conniving with the opposition (Awortwi, 2011:368). Oloka-Onyango (2007:37) draws a strong link between 2006 presidential and parliamentary elections and recentralization of the appointment of the CAO:

> *Why the CAO was recentralized was clearly also related to fears around the elections with several powerful NRM officials accusing CAOs of being 'multipartists' and therefore lacking the necessary partiality in their role as designated election returning officers.*

This position was reconfirmed when, after the February 2006 elections, President Museveni accused CAOs of being sympathizers of opposition political parties and threatened to appoint only those who subscribe to NRM government philosophy as CAOs (Awortwi, 2011). Immediately after 2006 elections, all CAOs were required to apply for their jobs alongside new applicants. Recentralization of CAOs was therefore part of a broader scheme by government to minimize the risk of losing to any competitor (Awortwi, 2011).

Steffensen (2006), however, sees the NRM government's recentralization of CAO appointments as a symptom of unease with the level of autonomy of local governments, and the wish by central government to strengthen control. Following several amendments to local government legislation, commentators argued that the NRM [ruling party] had become fearful of its own 'success' in pursuing decentralization (JICA, 2008). Local government autonomy was manifested in three powers: power to make and enforce regulatory decisions; power to govern a procurement system; and power to manage human resources. Recentralization of some elements of local government personnel management, including the appointment of CAOs and municipal town clerks, was considered an effective way of weakening the autonomy of local governments. In parallel, in 2006 the Local Government Act was amended to strip local governments of the power to govern a procurement system, abolishing the former local tender boards that were appointed by councils. However, there were accusations that

these procurement entities had become instruments of cronyism and patronage and were corrupt (CLGF, 2007). Tender boards were replaced with contract committees appointed by the CAO and eventually approved by the Secretary to the Treasury[14]. Currently, local governments have no role in contract committees and their power to query decisions of the committees is limited. The NRM government is also using intergovernmental fiscal transfer arrangements to reduce the autonomy of local governments (JICA, 2008), and central government fiscal transfers have been placed under central government appointees (CAOs) which undermines decentralization reform (ARD, 2005). All these changes support to the assertion by Awortwi (2011:348) that while central government leadership finds it expedient to appear to support a decentralization policy, they do not wish to see the growth of powerful local institutions.

One major conclusion from the analysis above is that central government-driven human resource management reforms for local governments do not take place in a vacuum; they are shaped by the political environment at the national level and the desire by the central government to exercise tight control over sub-national governments.

5. Has recentralization of CAO appointments undermined accountability?

Accountability, as a concept, has been in the public domain for many years. The concept lends itself to many interpretations. Brinkerhoff (2001:2) opines that the essence of accountability is answerability; being accountable means having the obligation to answer questions regarding decisions and/or actions. Accountability has two important dimensions: answerability and enforcement. Answerability refers to the obligation to provide information and explanations concerning decisions and actions while enforcement is the ability to oversee actors and apply sanctions when they give unsatisfactory answers (Brinkerhoff, 2001:2-5). Recentralization of the CAO has apparently impacted on accountability in local governments in two major ways: shift in reporting and allegiance of top administrators in districts; and weakening control over the CAO by elected councils.

Shift in reporting and allegiance

> *No servant can serve two masters; for either he will hate the one and love the other, or else he*
> *will be loyal to the one and despise the other … (Luke 16:13,NKJV).*

Recentralization has created two masters for the CAO: the district council and central government. This has shifted the pattern of reporting for the CAO from being uni-directional to being bi-directional. Currently, the CAO reports upward to central government and downward to the district council. Asked about implications of recentralization on reporting arrangements for top administrators in local governments, one respondent said*, 'Recentralization [of CAO appointments] has created two reporting centres',* which has attendant implications for accountability of the highest civil servant in

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[14] The permanent secretary in charge of finance, planning and economic development

district local governments. As one key informant put it, '*The CAO looks to the central government as the priority reporting centre'.*

There was a general consensus among the two elected district chairpersons interviewed that CAOs were mostly preoccupied with accountability to central government, which has in turn softened accountability in local governments. This finding did not come as a surprise since central government wields substantial power over the CAO by virtue of being the appointing, posting and sanctioning authority. Practically, the recruiter of the CAO (central government) and a mere recipient of the CAO (local government) cannot have the same standing.

Similarly, there was a general perception among elected district chairpersons and CAOs interviewed for this research that two-way reporting had considerably affected the loyalty of the CAOs, who now suffer from 'operational' loyalty to local councils and their 'career' loyalty to central masters. An acting CAO who had served in three local governments after recentralization spoke of how challenging it was for the CAO to please both powers. One CAO described the current dilemma of CAOs *as 'being caught between a rock and a hard place'.* The hardest choice a CAO has to make is whether his/her loyalty should lean more to the *'local governments with and for which he/she works'* or to the central government that appoints and deploys him/her to districts. Another CAO likened the current predicament of CAOs to "*a woman married to two husbands*".

Elected district chairpersons were of the view that CAOs had strategically shifted their allegiance to central government. They revealed that some CAOs now conveniently ignore a local council directive if this is not in the interest of central government. However, CAOs cannot completely ignore loyalty to local governments, since they are assigned to help local governments fulfill their statutory powers. This dichotomy reinforces the argument that an integrated personnel system occasions split loyalties for senior officials managing decentralized services (Nabaho, 2012). Thus an integrated personnel system appears to be the antithesis of decentralization by devolution. One conclusion that stems from the above discussion is that in a decentralized context, civil servants tend to owe allegiance to a local government they are appointed to serve rather than one in which they are assigned to work by central government.

At a policy level, the findings of this qualitative study on unintended consequences of human resource recentralization for employee loyalty should inform the current debate in Uganda on whether to recentralize the appointments of health sector staff employed through local governments. The Parliamentary Committee on Health (Parliament of Uganda: 2012: 25) has already recommended to Parliament that,

> *… recruitment and supervision of health workers in lower health centres [district hospitals and health centres 2 to 4] should be recentralized to make it possible for the Health Service Commission to recruit them instead of the District Service Commissions, which in most cases lack the capacity.*

The committee intends to move a Private Member's Bill to that effect. The findings in this paper, suggest that accountability and loyalty concerns should be integral to debates on whether to recentralize human resource management for health staff or to maintain the *status quo*. The debate should also be underpinned by scholarly analysis of other local governance systems in Africa that attest to perverse effects of central government appointment and posting of civil servants to local governments. With reference to Ghana, Awortwi (2011: 367-368) writes,

> *Civil servants have no allegiance to the LG [local government] in whose jurisdiction they work and they frequently ignore LG policies and priorities, refuse to attend meetings with locally elected officials, and generally maintain allegiance to the CG [central government]. Locally elected councilors face severe frustrations in the very assembly they are supposed to control.*

It is therefore advisable that central government should conduct a thorough evaluation of recentralization of CAO appointments on service delivery in local government before recentralizing more local government staff. From the perspective of political heads of districts (the two elected district officers interviewed), there is anecdotal evidence that recentralization has not achieved much, save ensuring job security for CAOs and giving the function a national outlook. As one said, *'Recentralization has caused more harm than good to local government service delivery'.*

According to elected district officers, its effects have been threefold. First, CAOs are out of their duty stations (districts) most of the time since they have to balance performing their official duties and attending to their 'non-resident' families − some CAOs were described as 'visitors to districts' and their absence as 'a norm rather than an exception'. Quite often, CAOs do not seek permission from elected district chairpersons (to whom they are responsible) to be away from work and from districts, and chairperson, a former senior civil servant, said that he recently had to issue a warning letter to a CAO over rampant absenteeism from the district without permission. The elected district chairpersons argued that perennial absence of CAOs affects district operations and partly explains why districts return billions of unspent central government transfers to the national treasury at the end of the financial year. Re-remittance of central government transfers to the national treasury is not confined to the districts in this study, and Kaberamaido district reportedly returned 400 million Uganda shillings (150,944 United States dollars) to the national treasury at the end of 2011/2012 (Onyinge, 2013).

Second, after being transferred, most CAOs regularly delay to report to their new duty stations which has a considerable toll on local government service delivery. Thirdly, when CAOs are transferred, they take considerable time to acclimatize to districts. The 'acclimatization phase' has ramifications on the performance of sub-national governments. This is exacerbated by the short interval at which CAOs are transferred from one district to another either at the volition of the Ministry of Local Government or at the request of district local government councils.

Limited control by elected officials over CAO

Recentralization has, without doubt, substantially reduced the control of elected politicians over top administrators in local governments. CAOs thought that elected district chairpersons were concerned that recentralization deprived them of their powers, and elected leaders affirmed this. Though the CAO is responsible to the elected district chairperson and the district council, the chairperson and council cannot sanction the CAO, in contrast to the pre-recentralization era, where district councils could remove CAOs through DSCs. Under the current legal regime, councils can only recommend removal of a CAO by a resolution supported by two-thirds of the council members on four grounds: abuse of office, incompetence, misconduct or misbehavior; or physical or mental incapacity.

Elected district chairpersons were of the view that CAOs now feel they are superior and exhibit arrogant tendencies toward councilors and elected district chairpersons, for example absence without leave was described by elected chairperson as "CAOs undermining their supervisors". Thus, centralization has also rendered councils powerless in dealing with the CAO. The behavior of some CAOs towards elected leaders in local governments is a clear manifestation of how laws and policies can influence the behavior of actors in formal organizations.

6. Conclusion

It is evident that since 2005, there have been calculated and steady attempts by central government to unravel components of Uganda's decentralization. This paper has demonstrated how recentralization of CAO appointments has negatively impacted on reporting and accountability in local governments at a time when there are renewed calls to strengthen accountability as a key pillar of good governance, and there are no proposals for strengthening accountability of CAOs (and the entire local government civil service). The remedy for strengthening accountability of civil servants to council is to revert the responsibility of appointing CAOs to local governments to ensure that there is no disconnect between the principle of decentralization by devolution and the practice of human resource management in sub-national governments. Nevertheless, central government should, within the confines of a separate personnel system, play a visible role in recruitment of the CAO. Within the proposed devolved arrangement, it should be made mandatory for the Public Service Commission, the Ministry of Public Service, and Ministry of Local Government to be involved in recruiting the CAO. The same central government institutions should be given powers to veto any major disciplinary action administered against the CAO by local governments to avoid victimization and unfair disciplinary action. Similarly, accountability institutions at national and local level should be strengthened to deal with cases of financial mismanagement in local governments. These proposed measures will ensure recruitment of suitable CAOs (since recruitment is likely to transcend ethnic and boundary considerations), guard against unfair disciplinary action(s) against CAOs, and lessen the motivation of CAOs to breach financial laws and policies.

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Decentralisation and Development: Can Uganda Now Pass the Test of Being a Role Model?

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Abstract

Uganda's Government of the National Resistance Movement (NRM) assumed power in 1986, in an environment of political turmoil, and initiated a policy of decentralisation as a way of restoring state credibility and deepening democracy. Decentralisation was accordingly legislated under the Local Government Act of 1997, as a framework act directing the decentralisation process. The aim of the Act was to enable implementation of decentralisation provisions provided for under Chapter 11 of the 1995 National Constitution.

The decentralisation policy in Uganda aimed at improving local democracy, effectiveness, efficiency and sustainability in the delivery of essential services country-wide. Improved service delivery was in turn expected to make significant positive impact on people's quality of life. Unfortunately, the implementation of decentralisation appears to have concentrated more on administrative objectives as a means of promoting popular democracy and less on service delivery which would have led to economic transformation and better lives for the majority of Ugandans, and now new districts are being created without corresponding improvements in service delivery. Surprisingly, this is happening in the midst of external praise that decentralisation reform in Uganda is one of the most far-reaching local government reform programmes in the developing world.

The paper explores the role of decentralisation in development and how it can be undermined by political factors. It highlights the development of decentralisation in Uganda, discusses its achievements, failure and challenges, and concludes that the decentralisation programme which was ambitious and politically driven has had mixed results in terms of enhancing service delivery and should be seriously reviewed and strengthened if it is to remain as a role model in Africa.

Key Words: Decentralisation, development, democratisation and service delivery

Introduction

Since the 1980s governments in sub-Saharan Africa have been undergoing economic and institutional reform. Among the many institutional reforms, decentralisation has been instituted to advance political democratisation and to promote socio-economic development (Saito, 2002). Local governance is promoted as a structural arrangement through which local people and communities, with support from other national, regional and international actors can participate in the fight against poverty at close range (Kauzya, 2003).

Kauzya (2005) argues that decentralisation is part of efforts to promote people's participation in decision making processes and development activities which in turn promotes good governance. This is based on the premise that decentralised governance provides a structural arrangement and a level playing field for stakeholders to promote peace, democracy and development.

Under the decentralisation policy, service delivery institutions and their governance are decentralised in order to improve access to services particularly for the rural poor (Bashaasha *et al*, 2011). Decentralisation therefore transfers administrative and political powers from central to regional or sub-national governments.

Decentralisation of local governance is one of the most ambitious reforms undertaken by Uganda since independence in 1962 (Saxena *et al,* 2010). Various scholars have praised the Ugandan decentralisation reform initiated in 1992 as exceptional among developing countries, in terms of the scale and scope of the transfer of power and responsibilities to the local level (Steiner, 2006). They have referred to the decentralisation programme as *'one of the most far-reaching local government reform programme in the developing world'* (Francis and James, 2003) and as *'one of the most radical devolution initiatives of any country at this time'* (Mitchinson, 2003). Such praise obviously makes Uganda's decentralisation programme a model for other countries to emulate.

This paper illustrates the role of decentralisation in development and highlights the development of decentralisation in Uganda, including its achievements, failure and challenges.

The paper concludes that the ambitious and politically-driven decentralisation in Uganda has had mixed results in terms of enhancing service delivery and recommends that for Uganda to remain a model, the decentralisation programme must be seriously reviewed and strengthened with a view to promoting efficient services delivery.

The decentralisation structure in Uganda

Uganda's decentralisation process dates backs to 1987 when the present National Resistance Movement (NRM) government took power through an armed civil war which was waged on the basis of popular civil strengths. The first step by the (NRM) government in the decentralisation process was the enactment of the 1987 Resistance Council Committee's Statute which legalised Resistance Councils (RCs) and gave them powers in their local areas of jurisdiction (Bashaasha, 2011).

The current decentralisation reform was officially launched in 1992 through a presidential policy statement (Steiner, 2006). It was first enshrined in the Local Government (Resistance Councils) Statute 1993 and later in the 1995 Constitution and the Local Governments Act 1997.

As outlined in Figure 1, the local government systems is formed by a five-tiered structure of local councils (LC) which consists of the Village (LC1), Parish (LC2), Sub-county (LC3), Country (LC4)

and District (LC5); Ward or Parish (LC2), Municipality (LC4) and the City (LC5) in urban areas. The District and the City are the highest local government levels, while the Sub-county, Town and City Division are referred to as lower local government levels.

Figure 1: Uganda's five-tier local government administrative system
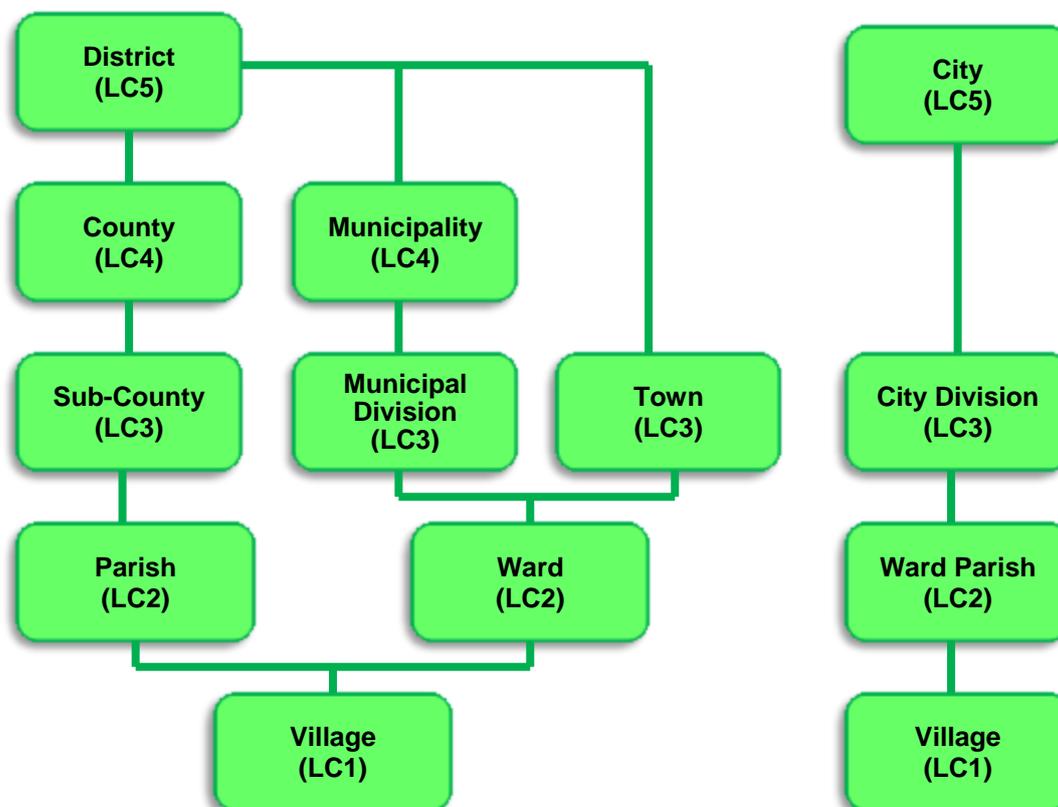
Source: Steiner (2006)

The 1995 Constitution and Local Governments Act 1997 provided for the District to be a unit of decentralisation and spelt out the functions devolved to local governments, and the relevant funding mechanisms. The idea was to involve the people in the way they are governed, in decision making, identifying problems, setting priorities, planning implementation and monitoring, to ensure better utilisation of resources both financial and human, and value for money through participation, transparency and accountability and sensitisation.

The District Local Council (DLC) and the Sub-County Council are established as corporate legal entities under the Local Governments Act 1997. These councils are vested with powers to:

(i)   enact local laws necessary for the effective governance of the areas within their jurisdiction;

(ii)   ensure accountability and transparency in conducting council business and using council funds;

(iii)   ensure effective planning / budgeting to spur development and delivery of public services, and

(iv)   monitor the delivery of public service on priority national programmes (Natamba et.al 2010).

Devolution in Uganda has therefore been a gradual process with functions being transferred from the centre to local bodies. Central government retained responsibility for national security, planning, immigration, foreign affairs and national projects, and all other functions were devolved to local institutions (Satane *et al*,2010). According to the Local Governments Act 1997 (ss. 96-99) the role of the centre *vis-a-vis* line ministries and the Ministry of Local Government (MoLG) is limited to coordination, advocacy for local government, inspection, monitoring, technical advice and training supervision within respective sectors.

Perceived merits of decentralisation

'Decentralisation' refers to the transfer of power over decision-making and implementation to lower administrative levels for purposes of improving efficiency and effectiveness (Kiyaga-Nsubuga, 2004). Several scholars (Muriisa, 2008; Okidi and Guloba, 2006; Obenga-Odom, 2010) have discussed different ways in which decentralisation can be implemented. These include:

- *deconcentration*, whereby powers and responsibilities over defined functions are transferred to lower administrative units that are tightly controlled from the centre;
- *delegation*, by which lower units may be granted some relative discretion in managing defined responsibilities, while still reporting to the centre;
- *devolution*, when the lower levels are given substantial control over decision-making and implementation, with the centre largely restricted to policy setting, monitoring and supervision.

In the case of devolution the division of powers and responsibilities is defined in a legal framework, and the units to which power has been devolved are subjected to control by local beneficiaries. Uganda has experienced decentralisation both as a system and process of devolution of power from the central to the local authorities (Okidi and Gulaba, 2006).

Although the motives of decentralisation differ across countries (Bashaasha *et al*,2011; Naido, 2002) the major argument supporting decentralisation in developing countries includes economic and political gains. Naido (2002) states the economic justification for decentralisation as being allocated and productive efficiency aimed at improving public service delivery. *Allocative efficiency* involves better matching of public services to local preferences, whereas *productive efficiency* involves increased accountability, fewer levels of bureaucracy, and better knowledge of local costs. The political justification relates to considerations of local participation, good governance, and democratisation.

Ekipo (2007) and the World Bank (2000) provide a clear and detailed outline of the perceived merits of decentralisation which include;

- facilitating good governance by empowering the local population to participate in matters affecting their lives. This allows for the local people to be watchdogs and ensure that public officials deliver quality goods and services.

- improving service delivery: it is argued that the lower tiers of government can deliver services such as water, education, sanitation, and health effectively. At the lower levels of government, politicians and public servants are more aware of the needs of their community, and aware of the preferences of local populations.

- productive efficiency: this refers to the contention that local governments can produce goods and services at lower cost than central governments, and costs of producing goods and services will be minimised. The usual 'middle-man syndrome' and bureaucracy involving contract procedures is reduced.

- improving the efficiency of central government: decentralisation allows central governments to concentrate on national and international issues, eg: macroeconomic policies for the entire economy, rather than being pre-occupied with service delivery.

- cost recovery: decentralisation may make it less difficult for government to recover the costs of public services, as services will be more demand-responsive hence increasing the household willingness to pay for services that match their demand.

- fostering competition may result in better public goods at lower prices. Competition allows for a bundles of local public goods to be produced and individuals can reveal their preferences for those goods by exercising some form of 'exit' option at the extreme, moving to jurisdictions that satisfy their tastes (Azfar-et.al.2005).

The NRM government went for decentralisation largely to deliver better services to communities. The Local Governments Act, 1997, places responsibility for delivery of most services with local governments. The objective of the Act was:

(i)   to give full effect to the decentralisation of functions, powers, responsibilities and services at all levels of local government;

(ii) to insure democratic participation in, and control of decision making by the people concerned;

(iii) to establish a democratic, political and gender sensitive, administrative set-up in local governments;

(iv) to establish sources of revenue and financial accountability, and

(v)   to provide for elections of local councils (see sec.2 of the Act).

The latter objective was in line with the national objectives and directive principles enshrined in the 1995 Constitution which provides that;

The state shall be guided by the principle of decentralisation and devolution of government functions and powers to the people at appropriate levels where they can best manage and direct their own affairs.

Part 2 of the second schedule of the Local Government Act, 1997 gives power to local governments (Local governments) to provide education services, medical and health services; undertake maintenance and provision of water supplies; construction, maintenance and rehabilitation of roads; budget for recurrent and development expenditures as well as collect local revenue.

Decentralisation policy was therefore aimed at improving local democracy, effectiveness, efficiency and sustainability in the delivery of essential services country wide (Klaver, 2009). According to the Ministry of Local Government (MoLG) (2006), the objectives of Uganda's decentralisation are to:

- transfer real power to Local governments and reduce the workload of remote, under-resourced central officials
- hring political and administrative control over services at the point of delivery in order to improve accountability and efficiency.
- free local managers from central constraints allow them to develop organisational structures tailored to local circumstances.
- improve financial accountability by establishing a clear link between payment of taxes and provision of services.
- improve local council capabilities to plan, finance and manage service delivery to their constituents, which was a total reversal of the centralizing tendencies of earlier governments.
- promote local economic development (MoLG Module A, 2003; Klaver, 2009). Hence as observed by Bashaasha et.al (2011) decentralisation in Uganda is based on three interlinked aspects; (i) political and legislative empowerment of the people, (ii) fiscal devolution, and (iii) control of the administrative machinery by the local councils.

The transfer of authority for planning, and administration and financial management was central to Uganda's decentralisation process (Okidi and Guloba, 2006), and central government line ministries should only be responsible for issuing regulations, policies and advice, benchmarking standards, and providing supervisory and inspectorate services to local governments.

In order to empower local governments to fulfill their responsibilities, they are entitled to levy, charge, and collect local taxes and fees and to receive intergovernmental grants. According to the Local Governments Act 1997, local governments are entitled to unconditional grants, conditional grants and equalisation grants. Unconditional grants are intended to fund decentralisation functions as shown by the Act, while the conditional grants are supposed to fund national priority programme areas. The equalisation grants are supposed to be given to local governments lagging behind the national standard of service delivery. Furthermore with regard to taxes and fees, district and urban local governments are allowed to impose property tax, several forms of non-tax revenue (market dues, trading licenses, parking fees, education contributions etc, and until fiscal year 2005 /06 graduated personal tax).

Ingredients of successful decentralisation

Decentralisation is often hailed because it brings government closer to its citizens and provides opportunities for participation in decision- making. Achieving this goal, however, depends on a variety of conditions (Wong and Scott, 2007) which Ekpo (2007) has referred to as ingredients for successful decentralisation. Before analysing current trends of decentralisation in Uganda, it is important to appreciate those conditions or ingredients as follows:

- full commitment from national and sub-national government and adequate resources. Central government must be willing to give control and recognise the importance of sub-national government in service delivery;

- an appropriate legislative framework which clearly defines responsibilities and powers of sub-national governments, and the expected relationship between central and lower levels of government;

accountability and transparency: decentralisation must be accompanied by checks and balances so that there is no abuse of power, as one way of fighting corruption and clientelism;

- adequate financial and staff resources to support effective decentralisation. Sub-national governments must have the legal authority to raise revenue to support expenditure requirements. The fiscal relationship between the centre and lower tiers of government must be clearly defined on the basis of equity, fairness and justice.

- capacity at sub-national government level: xub-national government must have sufficient professional and well-trained staff. Capacity denotes the ability, competency, efficiency of sub-national governments to plan, implement, manage and evaluate relevant policies, strategies or programs for their jurisdictions.

This paper will later explore the level at which the above ingredients necessary for the proper implementation of decentralisation exist in Uganda. If there are gaps within the ingredients then decentralisation and service delivery at lower levels of government may remain problematic which may debar Uganda from being seen as a 'super-implementer' of devolved decentralisation.

Decentralisation landmarks

The decentralisation agenda in Uganda has been implemented with an emphasis on institutional arrangement and capacity building. So far, several achievements have been registered with varying degree of success across different districts (Bitarabeho, 2003; Okidi and Guloba, 2006; Bashaasha, 2011). As observed by Ministry of Local Government (2006), institutionally Uganda has made significant progress in the implementation of decentralisation. First, the legal framework is well defined in the Constitution and operationalised by the Local Governments Act of 1997; secondpolitical decentralisation has led to regular local elections and limited devolved decision-making, and third reasonable progress has been made to implement fiscal decentralisation, with 38 %

of the national budget being spent through both conditional and non-conditional grants to local government (Klaver, 2009).

According to Emorut (2006) decentralisation has empowered the citizens, heighted their awareness of the different custodians of responsibilities, delivered coordinated services, promoted creative local resource mobilisation, and increased the responsiveness of public investment to popular demands. Okidi and Guloba (2006) argue that the administrative hierarchy in the decentralisation system of governance has promoted the development of channels of communication between the population and local and central government leaders. Okidi and Guloba(ibid) suggest that through the local council system, local-level political powers (as outlined above) have enabled citizens to elect local leaders who have come under increasing performance and accountability demands from electorates.

Although a lot needs to be done, service delivery has improved under decentralisation, particularly with respect to the infrastructure for primary education and health care. In 1997, decentralisation coincided with the introduction of Universal Primary Education (UPE) policy, which provided for free primary education for all school-age children, first limited to four children per family, but then extended to all children in 2003 (Bashaasha *et al* 2011). The UPE policy aimed to expand access, enhance equity and increase efficiency in education. Although the non-completion rate of children in UPE schools is now as high as 75% for reasons such as forced early marriages, or family poverty leading to child labour (New Vision, 9 April 2010), the policy has enabled some poor children in rural areas to access education. Nevertheless, the quality of education in UPE schools still requires improvement if the majority of the rural poor are to benefit.

Health infrastructure has also improved under decentralisation. When user fees for government health facilities were abolished in 2001 (except for private facilities in hospitals), the health system was reorganised into a hierarchy that mirrors government structures (Okidi and Gulaba, 2006). The system now comprises national and regional referral hospitals, and Health Centres categorised as level IV, III, II, or I depending on the range of services offered at a given facility level. The operationalisation of this structure required the construction of several new facilities leading to growth in the number of health facilities, especially at Health Centre II level. The staffing and medicine stocks at these facilities remains challenge and citizens voice concern as to whether health service provision is a priority for the Ugandan Government.

The challenges

With limited examples of successful service delivery in Uganda resulting from decentralisation, the country still faces a number of major challenges in deepening and institutionalising decentralisation. Unless these challenges are addressed, Uganda risks losing its previously status as achieving one of the most far-reaching decentralisations in the developing world. These challenges include: limited

funding; inadequate human resources (HR); limited political autonomy and interference by central ministries; frequent creation of new districts; gaps in service delivery; corruption and conflicts. These challenges are now discussed in more detail.

Limited funding

One of the most critical challenges faced by local governments in Uganda is limited finance due to limited sources of local tax revenue and overdependence on grants from central government. This challenge as noted by Bashaasha *et al* (2011) is of major importance because any shortfall in financial resources leads either to non-delivery of services or delivery of sub-standard services and products.

Traditionally, the main local revenue sources in Uganda have been graduated tax, property tax, business licences, and market dues. Graduated tax contributed over 80% of local revenue for rural local governments and about 30 % for urban authorities (MoLG, 2006). Unfortunately, this source was scrapped for political reasons in 2005 as a campaign measure in preparation of the 2006 elections, which reduced the autonomy of local governments. Furthermore, local revenues have been declining and the amount of locally raised revenue as a percentage of total local government funding has fallen each financial year. In some local governments, local revenue accounts for only 3% of the total budget (MoLG, 2006). A critical analysis of local government budgets reveals their dependence on central government, which makes the districts agents of the central government rather than independent local governments as envisaged under Article 176 of the Uganda Constitution, suggesting that Uganda is be promoting deconcentration rather than decentralisation.

On average, about 80% of the central transfers are conditional − ie: earmarked by the centre for the provision of specific services leaving local governments little power determines local priorities. The remaining 20% of transfers are composed of unconditional and equalisation grants (Entisham *et al*, 2006). In practice the unconditional transfers are mostly used to cover administrative costs, including council salaries and allowances, rather than for service delivery.

To worsen the situation, conditional and unconditional grants from the central government have continued to decline. For example, in 2011/2012 the unconditional grant for all local governments decreased from USh 156,944 billion (US$63m) to USh 151,155 billion (US$60.5m) (National Budget 2011/2012). Declining revenues and the failure to use unconditional transfers on service provision have weakened the accountability of local authorities to service beneficiaries, and threaten the autonomous functioning of local governments.

Inadequate HR capacities

In addition to the shortage of financial resources, local governments also suffer from a shortage of skilled and experienced manpower for both technical staff and politicians (Steiner, 2006). As Onyach-Olaa (2007) has revealed, local governments in Uganda continue to operate at minimal

staffing levels, in some instances as low as 9% of the approved establishment. Furthermore, staffing problems are exacerbated by a shortage of equipment and materials. A study by Azfar *et al* (2000) found that only 17% of health facility respondents reported that all their employees had the necessary equipment and resources to do their work. In remote districts such as Abim, Kalangala, Kabong, Buvuma, and Bukwa there are difficulties in recruiting and retaining professional staff such as health workers, engineers, planners, or teachers. A further constraint is the fact that some local governments through the politically-oriented District Service Commissions (DSC) appoint staff, on the basis of ethnicity or residence rather than merit, which has adverse effects on the quality of service provision (Steiner, 2006).

Politically, the quality of councilors is affected by their level of education. At the moment, there is no minimum education requirement for anyone to hold office as a district councilor, and academic qualifications are not part of the eligibility requirements for the office. There is widespread consensus that councilors with very low levels of education fail to express themselves during plenary sessions, while some cannot make written contributions (Natamba et.al 2010). Such low levels of education undermines effective debates among councilors with their educated technical staff, and some local politicians, have an inferiority complex which has sometimes led to conflicts with technical staff.

Limited political autonomy and central interference

Legally and politically, the Local Government Council is responsible for all local government functions, including planning, financial accountability and the delivery of public goods and services (Natamba *et al* 2010). In reality, however, local government political leadership holds no controlling authority to direct how funds allocated to the district are utilised. The Chief Administrative Officer (CAO) who is the district's accounting officer is appointed by central government and reports directly to the Ministry of Local Government.

Previously, under Article 188 of the Uganda Constitution, the CAO was appointed by the District Service Commission (DSC) which arrangement provided reasonable political control to councilors over CAOs. However, in 2005 in the same Constitution (Amendment) Act, No.11 that removed presidential term limit, the Uganda Government recentralised the role of the CAO, transferring powers of appointment from the DSC to the Public Service Commission based in Kampala. While the government claimed that this change was necessary to remove corrupt CAOs, Green (2008) has correctly noted that the control of central government transfers to local governments by central government appointees *'cuts at the very heart of the decentralised reform'*. In addition, each district has a Resident District Commissioner (RDC) who is appointed by the President, and such RDCs have always supported the NRM party which has been in power since 1986. Thus the creation of the RDC office seems to be an attempt to weaken the District Chairperson, who under Article 183 of the Constitution is elected by universal adult suffrage as the political head of the district. More

disturbingly, some of the RDC's roles conflict with those of the elected Chairperson, as both are, responsible for coordination and monitoring of district services provision. In districts where the District Chairpersons belong to the opposition there have been conflicts with RDCs which negatively affects the district's development.

Similarly, in November 2010 the Ugandan Parliament at the request of the Cabinet passed the *Kampala Capital City Authority (KCCA) Act* which brought the affairs of the Kampala under direct supervision of the central government. Previously, Kampala City Council was administered as a district under the *Local Government Act 1997*. According to the KCCA Act, the Town Clerk who was formally the highest financial officer in the City was replaced by an Executive Director answerable to the Minister for Kampala Capital City Authority. The elected Mayor became the Lord Mayor, a largely ceremonial position. In essence Kampala's administration was recentralised.

So despite central government's claim of commitment to decentralisation, line ministries have retained substantial power over local policy making (Steiner, 2006). Both the *Uganda Constitution* of 1995 and the *Local Government Act, 1997*, defining the range of services and functions for each level of government under decentralisation, with local governments responsible for implementation/delivery of basic services including primary health, primary education, water and sanitation, feeder roads, agriculture production, planning etc. Yet, the decentralisation programming has left significant functions supervised by central line ministries in policy development, capacity development and quality assurance.

In practice the roles of different levels of government in service delivery have not been very clearly distinguished which has at times caused policy conflict. Almost all the line ministries have maintained an active hand in service delivery, policy formulation and guidance. For example the Ministry of Education and Sports (MOES) has appointed engineering assistants in the districts, who certify works as a condition for payment for infrastructure built by local governments e.g. through the School Facilitation Grant (SFG). Similarly, the Ministry of Works and Transport has set up sub-national Technical Support Units or regional workshops which are heavily involved in implementation, which weakens the role the local governments.

Creation of new districts

Uganda has seen an explosion in the number of districts (Green, 2008) which increased from 33 in 1986 to 80 in 2007, and 112 in 2012, and, in June 2012, Cabinet approved the creation of another 25 districts to make a total of 137! While ostensibly been guided by the 1995 Constitution this expansion, whose Article 179 permits the government to create new districts *'on the necessity for effective administration and the need to bring services closer to the people',* it is more likely that the NRM

government has used the creation of new districts as a source of patronage in order to continue winning elections which undermines decentralisation benefits.

The increased number of local governments has put immense pressure on service delivery and the capacity to manage new administrations (Klaver *et al* 2009). This has resulted in a decline in the number of local government authorities meeting performance-assessment criteria (minimum conditions) from 80% in 2006 to 34% in 2008 (MoLG, 2009). The creation of new local governments is seen by the central government as being in tune with the original objectives of decentralisation, but unfortunately service delivery in both new and old districts has declined due to lack of financial and human capacity, as resourcing has not been increased. As observed by Okidi and Guloba (2006), by creating so many political districts, Uganda runs the risk of excessive decentralisation, which could contribute to lowering local-level economic growth.

The creation of 25 new districts makes little economic or financial sense, especially as several new districts have failed to raise more than 5% of their total revenue from internal sources. Instead, these new districts have become a political bargaining chip that the NRM government uses to reward cadres and lure opponents by offering them political jobs that do note enhance service delivery. It would possibly make sense to reduce the number of districts and form larger provincial administrative units provide greater political oversight, cut administrative costs and allow for unified planning over a larger jurisdiction.

Gaps in service delivery

While the general objectives of decentralisation were to respond to local needs, existing data show no improvement in social services or quality of life for local communities (Jeppsson and Okuonzi, 2000). In fact, many indicators have either remained the same or worsened. For example, a large proportion of Uganda's population still lives below the poverty line, with 25% living in absolute poverty (UBOS 2011). Yet improvements in the health sector were expected to deliver better access to health services, better quality of health care and, ultimately, a decline in the rate of illness and death (Bashasha *et al* 2011). As many people cannot afford private medical services, the government of Uganda decentralised free health services to districts and to health sub-districts (health centres). However a recent study by ACODE (2010), found numerous problems facing health care provision in the health centres, including poor funding of healthcare services, in erratic drug distribution, and minimal transparency in the use of drugs and medicines; chronic shortage of trained health workers especially at lower tier health centres; lack of appropriate medical equipment; and that funds intended for health facilities were used for administrative costs. Consequently, healthcare services remains out of reach of the in the rural areas and decentralisation has not led to improved services.

In education, since the inception of the Universal Primary Education (UPE) programme in 1997, enrolment rose from 5.3million children in 1996 to 7.6 million in 2003 (MoES, 2005), but without a corresponding increase in infrastructure or staffing. Children in the final classes of UPE often find problems in reading and writing which reflects the poor quality of education in the UPE schools, which are the majority of schools in many districts. Therefore, enhancing the output and quality of education in schools, especially those that serve the poor, is essential for the promotion of pro-poor growth in Uganda, and a critical part of multi-dimensional poverty reduction.

Corruption

In spite of Uganda initial success in decentralisation, widely heralded by the international community, corruption remains widespread at all levels of society and the country faces major challenges (Transparency International, 2009). The survey report of the Inspectorate of Government (2009) noted that corruption − in the form of bribery, financial leakages, conflict of interest, embezzlement, false accounting, fraud, influence peddling, and nepotism, theft of public funds or theft of public assets − remains at impediment to development and barrier to poverty reduction in Uganda at national and local government levels. Public confidence in government officials (politicians and technocrats) is severely undermined by regular corruption scandals. A majority of citizens surveyed in 2005 by a regional research firm, Afro Barometer, perceived corruption to be rampant. In addition, 36% of respondents to the survey believed that most or all government officials, at central or local level, were involved in corruption. In fact it is sometimes believed that decentralisation in Uganda has led to a dispersion of corruption, *'redefining the character of corruption relationships from those controlled by the centre to those controlled by district – level officials'* (Steiner, 2006). For example during the financial year 2009/10 the Office of the Auditor General (2011) conducted a Value for Money Audit on seven districts of Apac, Arua, Bundibugyo, Bushenyi, Kamuli, Moroto and Mukono focusing on procurement of goods and services during 2007/08, 2008/09 and 2009/10, which revealed numerous corruption problems.

There is no doubt therefore that corruption of public officials in Uganda exacts a tremendous economic and social toll on societies. It raises the cost of government and encourages wasteful, inefficient projects; it increases cynicism towards politics; it undermines democratic processes and civil society's it diverts scarce resources from worthy projects; it discourages legitimate investors while attracting dishonest con artist; and increases economic hardships and fiscal difficulties. One of the greatest threats of corruption is a loss of faith in government institutions undermining decentralisation objectives.

Conclusions

Indeed, if the Uganda decentralisation project was implemented and functioned provided for in the existing legal infrastructure, it should offer much potential for an impact efficient service delivery through popular participation and responsive policy. Unfortunately despite the exceptional reform efforts, a gulf remains between principles and practice. This paper has identified a number of challenges to the implementation of the decentralisation reform, which give reason for concerns about whether Uganda can still claim to be a role model for decentralisation. The assessment in this paper suggests that Uganda has at best implemented only partial decentralisation, and at worst appears to have paid lip service to it.

Both the *Uganda Constitution* of 1995 and the *Local Governments Act, 1997* provided the legal framework and authority to the policy of decentralisation. The aims were to transfer real power to local governments; to bring political and administrative control over services closer to people; to free local managers from central government constraints; to improve financial accountability and responsibility by establishing a clear link between taxation services provision; and to improve the capacity of local councils to plan, finance, and manage services delivery. However, decentralisation of finances to local governments continues to be a major challenge in the implementation of decentralisation in Uganda. Local governments are still unable to mobilise adequate local financial resources more than 15 years after they were formed, and those resources have further been constrained by the politically influenced policy decision to remove the graduated tax which previously constituted the lion's share of the locally generated revenues. Strengthening local finances should be a core objective of any decentralisation strategy, and it is imperative for central government to continue the process of transferring sufficient financial resources to local governments, and for local governments to utilise these honestly (without corruption) in areas of greatest priority in their jurisdictions. Capacity building in human resources also remains a challenge to Uganda's decentralisation.

Central government must desist from the temptation of manipulating the decentralisation process to suit their patronage interests. The rampant creation of the new districts which are not self-sustaining provides good evidence for such manipulation. Disempowering the District Service Commissions from appointing the Chief Administrative Officers is another form of manipulation.

The Uganda Government now needs to refocus true decentralisation so as to promote national development and improved quality of life for the majority of Ugandans. At presently, rural Uganda suffers serious inadequacies in infrastructure, social services, and living conditions of the people, while economic productivity is low. More than 85% of Ugandans live in rural areas, and the majority of those below the poverty line are the rural poor. A properly constituted and committed decentralised system would benefit such people. Similarly, local governments must strive to eradicate poverty from

their jurisdictions, as poverty eradication is fundamental to human development, lays the foundation for overall development of society. Short of that Uganda's once praised decentralisation reform will continue to bring diluted results.

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Elite perceptions of change in English local government: comparisons between Conservative and New Labour Governments

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Abstract

*In 1997 **Local Government Studies** published an article (Asquith, 1997) which assessed the perceptions of managerial and political elites in eight English local authorities towards change management against the background of Conservative Governments' reform agendas. The article argued that the authorities could be placed on a continuum depending on their state of organisational evolution, with some authorities being better equipped to manage change than others. During 2005 the authorities were revisited to ascertain how they had adapted to deal with the reforming Blair Governments since 1997. What this article shows is that characteristics evidenced in the original work in the authority deemed to have evolved the most, were present in those authorities revisited.*

Introduction

This paper revisits work undertaken in the 1990s which examined the role of eight English local authority chief executives in implementing and managing change, within the constraints imposed by internal managerial and organisational politics and the broader political environment. Extensive interviews were conducted with managerial and political elites to ascertain the nature of change management in the early 1990s. The findings were reported in *Local Government Studies* (Asquith, 1997), along with the results of an extensive employee attitudes survey in the eight authorities conducted at the same time (Asquith, 1998). Further, the article adds to the growing body of knowledge relating to the changing role of local authority chief executives (c.f. Dahler-Larsen, 2002; Morphett, 1990; Morphett, 1993; Morris and Paine, 1995; Mouritzen and Svara, 2002; Norton, 1991; Skelcher, 2010a; Skelcher, 2010b).

Given that the reforming Labour Governments of Tony Blair had a keen interest in the activities of local government, not least to ensure key policies on primary and secondary education − which are the responsibility of local government − are delivered, it seemed timely in 2005 to revisit the authorities in the original research to ascertain the state of play after eight years of new Labour reform. Access was therefore sought to the chief executive within the original sample organisations. Six out of the sample agreed to facilitate a meeting. The local authorities can be characterised thus:

- A radical reforming London borough (L1) very much at the forefront of New Labour thinking. One of the first to adopt the 'Directly Elected Mayor' model. The move to the Mayoral model was seen as a continuation of the innovative approach to organisation, management and service delivery evident during the original fieldwork in 1991. The chief executive here had been a chief officer within the authority at the time of the original research and was the second-longest serving chief executive in London. Hence the authority had experienced managerial continuity.

- A London borough (L2) seen by many as the 'model' advocated by successive Conservative ministers. At the time of the original research it had been engulfed in both managerial and political leadership crises. Despite a change of Government, the authority still saw itself as being at the cutting edge of developments in local government and had recently been awarded the title of 'Council of the Year' by its peers. Access in 2005 was provided to the Director of Policy who had held a less senior role in the organisation in the early 1990s.

- A northern metropolitan authority (M1) which in the intervening period between the time of the original work and 2005 had undergone a number of internal organisational crises. The chief executive in 2005 had held a chief officer post in the organisation during the original research.

- A shire county (S1) in the midlands which in the early 1990s had to deal with the resignation of a reforming chief executive in disgrace and the imprisonment of a reforming Leader of the Council. In the intervening period the authority had lost a significant area of land and population during local government reorganisation. The chief executive in 2005 had served as a chief officer with the authority prior to her appointment, and before that had been a chief officer in the northern metropolitan authority (M1).

- A small shire district (D1) within the county (S1) (above). This chief executive had remained in post throughout the time period. At the time of the original research this authority was unusual in that all of its councillors were elected as 'Independents' and it contained no party 'Political' members.

- A south coast city (D2) which at the time of the original work had had a chief executive who was unsuccessfully attempting a major change programme. The intervening period had seen a new chief executive who had dealt with the authority gaining unitary status by simply 'bolting' on the newly acquired functions. In 2004 the authority had appointed a chief executive with a

distinct remit to radically transform the organisation in order to equip it with the organisational capabilities required to meet the challenges posed by the Blairite reform agenda. Less than a year later, this chief executive departed the authority after the refusal of elected members to accept and endorse the radical change agenda advocated.

In addition to these six organisations, the two others where access was sought but denied were:

▪ A northern metropolitan borough (M2) which following the change in political administration in 2004 had parted company with the chief executive. The interim/acting chief executive felt unable to participate in the research.

▪ A midlands shire county (S2) where the chief executive who had been in post since the time of the original research was approaching retirement, and declined to participate in the research.

The original research placed the eight authorities in a typology which categorised the organisations according to a number of common characteristics. The placement of each local authority was the result of *circa* 100 interviews with chief executives, chief officers and leading elected members in all eight authorities. The authorities were placed in the typology as they exhibited mostly features of that type:

• *Transactional* – Introverted bureaucratic organisations which lacked chief executive leadership, with power revolving around traditional chief officer/committee chair/councillor relationships.

• *Community Leadership* – Unified managerial/political focus on community, yet hindered by insular corporate management style.

• *Business Culture* – Low appreciation of community, highly commercialised/managerial focus – driven solely by the provision of statutory obligations.

• *Entrepreneurial Citizenship* – Combination of the managerial/political focus on community with a strong emphasis on commercial efficiency and effectiveness (see Table 1).

Table 1: Typology of authorities interviewed

Authority type	Transactional	Community Leadership	Business Culture	Entrepreneurial Citizenship
Managerial & political focus	Internal – rule bound	External – effectiveness	Internal − efficiency	External − effectiveness Internal − efficiency
Managerial philosophy	Bureaucratic/ Weberian	Corporate	Strategic (Commercial)	Strategic (Governance)
Perception of service users	Recipients	Citizens	Customers	Citizens
Strategic actor support	No	Yes	Yes	Yes
Street level support	No	No	Yes	Yes
Authorities	D2; S1	D1; M1	L2; M2; S2	L1

Source: Adapted from Asquith (1997) and (1998)

It was previously argued (Asquith 1997) that the types represented a continuum, with each of the stages being evolutions on the preceding stage, moving left to right. Hence, the Entrepreneurial Citizenship classification, it was argued, was the most advanced organisational type, with one authority, L1, actively seeking to demonstrate those characteristics – having previously been classified as being a Community Leadership authority.

There appears to be striking similarity in the characteristics between the Entrepreneurial Citizenship authorities and the model local authority espoused in the raft of legislation concerning local government passed by the Blair administration, a model described as Enlightened Public Governance (Thynne, 2003) or New Public Governance (Osbourne, 2006; 2010). Hence, common themes existed around issues of: internal efficiency; external effectiveness and community engagement. These themes exhibited themselves in two primary policy thrusts post 1997, namely: democratic renewal and the shift from local *government* to local *governance.* The latter is the realisation that a local authority has a legitimate right to lead its community, yet cannot alone achieve all the objectives it aspires to – it must act in partnership with other public sector bodies, the private sector and the not-for-profit sector.

New Labour: new local government?

The most striking thing about the interviews conducted in 2005 was the general, if somewhat reluctant, agreement about the way in which local government was viewed by central government. Whilst no one signed up to the New Labour agenda without some kind of reservation, there was at least a grudging respect for what the post 1997 reforms had offered local government. This can be contrasted to the so-called 'dark' days of the 1980's and early 1990s when Davis (1988) argued that local government was 'under siege'. Indeed, analysis of the interview transcripts from the early 1990s shows the dominance within local government of two key issues. These were: the Community Charge or Poll Tax – a single charged imposed upon all adults within a local authorities area, and Compulsory Competitive Tendering – the compulsory use of market forces in the provision of some local government functions.. One of the 2005 interviewees commented that the combination of the Poll Tax and Compulsory Competitive Tendering had in effect placed local government managers in the role of service *reducers*. As one chief executive observed:

Well I have to say for both in my perspective here, in general it has been very positive because the amount of money that is coming to public service and the environment that I have worked in as a senior manager has been one way you have been able to develop service since 1997, whereas up to 1997 all we did was reduce service

In contrast, the situation in 2005 meant that they were able to think and plan *strategically* to develop and deliver services for the community. Despite this however, fears still exist as to the extent to which local government was being 'neutered' and 'nationalised' through the continued retention and use of instruments such as Council Tax capping – whereby the maximum level of taxation raised by a local authority is set centrally by national government – thereby fundamentally undermining a key principle

of local democracy. Indeed one chief executive suggested that if the centralisation trend continued he would cease to be an employee of the local authority and be on the payroll of Her Majesty's Government, observing on the cumulative effect of the New Labour reforms thus:

> *I think services to the public are better, local government is weaker… the role of the managerial leader in local government has been elevated… Local political enterprise is being devalued and managerial enterprise has been revalued. Government has increasingly declined to talk to local political leaders but will talk to local managerial leaders.*

Interesting, this theme is further articulated by Skelcher when he comments that after 12 years of Labour Administrations has resulted in:

> *Its overall impact on officer-member relationships has been to strengthen the role of the former, at the expense of the latter…* (2010b: 336)

It was clear from the 2005 interviewees that there existed a view that central government did not quite grasp the diversity inherent within local government, and the stark differences which exist between city or urban local government and managing in a rural local authority. There was a clear undercurrent which suggested that the post 1997 reform agenda – in particular towards local authority internal management arrangements (see below) − had been dominated by organisations such as the New Local Government Network, a Blairite local government think tank, whose leading actors come from principally urban local authorities. Hence, it was suggested that central government was to some extent pursuing a 'one size fits all', standardising agenda which was clearly inappropriate to many rural local authorities.

The one policy which was specifically identified for criticism here was the Democratically Elected Mayor model of internal organisation, the pursuit of which, it was argued, was the result of the then Prime Minister's interest in American models of management. Whilst this mode of organisation may be deemed to be appropriate for urban authorities, it was argued that in thinly populated rural authorities there was little interest in the 'Directly Elected Mayor' model. As the chief executive of S1 wryly commented:

> *Blair has, his obsession with choice and privatisation and American way of doing things are very very urban models which just do not fit into a rural environment…*

> *There is no way you will ever get people of S1 shire saying 'we want an elected Mayor because people who live in Town A have one. They wouldn't have a bloody clue who the elected Mayor from Town A was, because it is nearly 80 miles away in the car. I do think the Labour Government has been incredibly urban centric.*

Elsewhere within the urban authorities, L2 and M1, support for the 'Directly Elected Mayor' was not strong. The perceived concentration of power in one individual was seen as being detrimental to the nature of local democracy whereby a council took decisions as a whole. It is the view of the writer however, that the managerial and political instability which was evidenced in both L2 and M1 during the period 1990-2005 – in contrast to the marked stability in L1 – has resulted in organisations lacking both the maturity and confidence needed to successfully operationalise the 'Directly Elected Mayor' model to the maximum benefit of the locality.

An interesting aside to the whole New Labour agenda arose around the views expressed towards the idea of individual choice being advanced by Le Grand (2002) amongst others. Indeed those interviewed were very vocal on this issue, taking the government to task over the language chosen to describe the individual – citizen, service user, consumer or customer, as being generally irrelevant. The general consensus was that the title did not matter – least of all to *service recipients*, just as long as they benefited from timely, effective services which were appropriate to their individual needs. What did cause considerable consternation was the pursuit of choice by central government. It was consistently argued that as long as service recipients benefited from the timely effective services noted above, then choice was an irrelevancy. Further, it was argued that in an urban area, where service providers may be numerous, such as schools, within a large rural county where schools may be over 20 miles apart, the idea of choice was a misnomer. This debate was summarised effectively by one interviewee thus:

> *I don't get too carried away with citizen or customer or resident or whatever. The principle is that you treat them as king and how you respond with the service, rather than you have this structure and service in place and it is up to you guys to find the best way in.*

The general tone of New Labour's approach to local government was set out in a raft of consultation documents published in 1998 by the then Department of the Environment, Transport and the Regions and which evolved into the White Paper, *Modern Local Government In Touch with the People* (DETR, 1998), which in turn became the Local Government Act 2000. These consultation documents dealt with a range of issues affecting local government. A review of the literature generated by the Blair agenda *vis a vis* local government demonstrates a three-pronged approach based around the internal management arrangements of local authorities; enhancing performance management regimes and the wider issue of local *governance* not *government* (Hartley *et al*, 2002; Newman *et al*, 2001, Painter *et al* 2003; Wilson, 2005; Wilson and Doig, 2000).

There was a general agreement amongst those interviewed in 2005 that the New Labour agenda had had a generally positive impact upon local government in England. What is interesting is that both London Boroughs felt that they had been instrumental in setting this agenda in terms of governance and efficiency – despite consistently representing very different party political positions.

Internal organisational dynamics

By far the most important changes here relate to the reforms introduced by the Local Government Act 2000 (Rao, 2003). These reforms offered all local authorities over the size of 85,000 in population the choice of one of three systems of political organisation:

- **Leader with a Cabinet** – whereby the leader of the largest political grouping on a council would form a cabinet of portfolio holders. This model was seen as the one involving the least change, and was adopted by over 90% of all local authorities.

- **Directly Elected Mayor with a Cabinet** – whereby a popularly elected mayor would select a cabinet from elected councillors. This was the model advocated by Blair Government. However it was only adopted by 13 local authorities in total, being later abandoned in two of these.

- **Directly Elected Mayor with a Manager** – the most radical model, envisaging the role mayor as akin to that of a private sector style chairperson, with the city manager fulfilling the chief executive role. This option was abolished in 2007.

Within the eight sample authorities, seven had chosen the Leader with a Cabinet option – in line with over 97% of all local authorities. One of the London Boroughs (L1) had however sought the more radical option of the Mayor with a Cabinet. In fact, before the legislation was in place, the Council had delegated authority to an Executive Committee led by an appointed Mayor with executive power (Asquith, 2008).

Of those authorities that had adopted the Leader with a Cabinet model, the differing rationales offered stark contrasts. In L2 which had been characterised by one of its' chief officers as being more like a 'Hanson than a Marks and Spencer' (Asquith, 1997), in that it had no all-embracing corporate culture, such as Marks and Spencer, rather it functioned as a number of loosely associated departmental cultures, similar to that in a holding company such as Hanson plc., with each department driven by dominant committee chair/chief officer relationship. However in 2005, it was argued that such relationships operated successfully within the 'Leader with a Cabinet' model, which had been enthusiastically embraced as a mechanism to ensure that strategic governance was maintained, with the reforms providing a 'corporate glue', and that the collective nature of Cabinet government would serve to prevent aberrant leadership episodes such as that affecting L2 during the 1980s and 1990s.

Here, it is interesting to note that the chief executive of L1 argued that the 'Leader with a Cabinet' model had the potential to create Cabinet fiefdoms similar to those evidenced during times of crises within L2 – and as such presented the potential to legitimise the departmentalism exhibited previously in L2 and elsewhere. Indeed, such dangers were also voiced in D2, where the chief executive had purposefully created a management structure which did *not* mirror roles and responsibilities of Cabinet portfolio holders, attempting to prevent the re-creation of fiefdoms previously evident in the authority.

A major criticism of the reform agenda was the fact that all the models offered differing degrees of power concentration at the expense of the wider group of elected members. In one of the London Boroughs this was specifically flagged up as being an issue. Certainly in the past the authority had been used as a stepping stone to either national politics or prominence in local government circles. However, the feeling was that given the restriction of five to seven high profile positions within the organisation as Cabinet Members, this might restrict the flow of people of the right calibre seeking election to local government. What was not addressed, however, was the opportunity in the past for small number individuals to create semi-autonomous power baronies as the chair of a powerful

Council committee – something which had been prevalent in this particular authority. Away from London, it was interesting to note that interviewees reported both a drop in the average age of elected members and an increase in the calibre of elected councillors. As such it was argued that the quality of debate and ultimately the decision-making process had benefited from the post-2000 reforms.

Elsewhere, in M1, prior to the Local Government Act 2000, the authority recorded over 80 internal decision making bodies, which ultimately led to corporate chaos. The restructuring of the decision-making machinery to fit the 'Leader with a Cabinet' model provided the authority with political and managerial coherence and strategic direction. Elsewhere, it was argued that the concept of Cabinet responsibility had served to undermine previously strong committee chair/chief officer relationships which had effectively derailed attempts to manage the authority strategically.

The issue of power concentration noted above was not felt to be a cause of concern in L1 where the 'Directly Elected Mayor with a Cabinet' model had been adopted. It was argued that such a model had had a positive impact upon local democratic accountability. The operationalisation of the model in L1 resulted in there being a single, easily identifiable person directly accountable to the populace. However, any power that person had was constrained by both the Cabinet and, of key importance, by internal organisational and party political conventions. Certainly it was argued that given the role the Directly Elected Mayor has pursued, the net impact has been a marked upturn in both interest and involvement in local democracy in the borough, with for the first time, citizens knowing exactly where the buck stops – with one identifiable individual rather than a bureaucratic machine:

> *I would say also that in the last few years, they take more people back to the councils because they know he is making the decision, they know he is the mayor and so the rule form is that the mayor makes the decision in the presence of officers who are advising him on professional grounds and his cabinet who are advising him about the politics of the issue which is very different from virtually every other councils, where the decision is made in the committee or in some circumstances is delegated to any one person, the mayor or chief officer, so we are very very corporate…(we are) probably more corporate than perhaps some of the mayoral councils would be like us ….we are more corporate than anyone you'd find.*

The local election results of 2006 which saw the first re-election campaign in L1 of the Democratically Elected Mayor witnessed both an increased level of voter participation *and* an increased level of support for the incumbent. Interestingly, this pattern was also evident in all the Mayoral re-election contests held during May 2006. This pattern was again largely replicated in the subsequent round of Mayoral elections in 2010. The desire to see the 'Democratically Elected Mayoral' model work has led to further innovations in L1 which were designed to increase levels of participation in the democratic process amongst the population, away from traditional participatory activities of simply casting a vote every four years. The widespread use of Citizens' Juries and the innovative introduction of a Young Persons Mayor have served to encourage additional inputs into the workings of the local authority from groups often seen as being socially excluded from the mainstream (Quirk, 2006).

The authority (L1) concerned has a history (of over 20 years) of stable political and managerial leadership with clearly understood political/managerial boundaries. In the early 1990s a number of senior officers (including the then chief executive and the assistant chief executive) had previously served elsewhere as elected members. During the fieldwork in 2005, it was suggested by the writer that this had been a significant factor in the political/managerial harmony within the organisation, in that senior managerial personnel were familiar with the pressures which characterise the world of the elected councillor. However, in 2005 the chief executive was adamant that this so-called 'twin-tracking' had not been the primary cause of the political/managerial harmony – it may have helped, but was by no means the driver. However, it remains the view of the writer that given the internal managerial/political environment within L1, when compared to the other seven authorities in the sample, that this represented a positive example of the potential benefits twin tracking offered towards the strengthening of managerial and democratic understanding within local government. Given the experiences in L1, it may be timely to revisit or revise the Local Government and Housing Act (1989) which outlawed twin-tracking.

The perceived success of the 'Directly Elected Mayor' model within L1 may also be attributed to other unique local factors. The Directly Elected Mayor had been one of two very high profile councillors who had dominated local politics since the mid-1980s. Indeed his profile was significantly enhanced locally by the television programme 'Town Hall' which chronicled the machinations within the authority for a 12 month period when he was Leader, and by a period when he ceased being a councillor, but undertook another high profile activity as chairman of the local hospital board. Hence, whilst not on the local authority, he held an equally high profile role in the local community. Such a high profile, the chief executive argued, aided the role he now undertakes as Directly Elected Mayor.

The Mayoral election results of May 2006 added a new dimension to the equation. Whilst the Mayor secured re-election with an increased turnout and an increase in the number of votes received, the political party he represents lost control of the Council for the first time in over twenty years. Interestingly, the Mayor was re-elected again in 2010 with an increased vote *and* the political party he represents also regained control of the authority. One can speculate that the political party was a benefactor of the Mayor's profile.

This 'public presence' was demonstrated, in a poll conducted by the borough in 2005, which showed that the Directly Elected Mayor enjoyed a higher recognition rating than any of the Members of Parliament who represent the borough – 31% compared to 29%. The chief executive attempted to put this in perspective when he noted the intensity of local politics in London, with 32 boroughs seeking the limelight, all of whom have to compete for publicity with the Mayor of London. This, the chief executive suggested, was significantly different from the situation in Middlesbrough or Bedford where the Directly Elected Mayor had little competition for the local media spotlight (Asquith, 2008).

Hence, in terms of internal authority organisation, the key reforms here have been around the political management structure. The century-old traditional committee structure had been abandoned, and in its place local authorities were offered three options for change, all of which were designed to modernise the decision making process. Whilst the majority of local authorities chose the option of least change, the Leader with a Cabinet model, one of the sample authorities had opted for the more radical choice of the Mayor with a Cabinet model.

External organisational dynamics

The external environment within which local authorities now exist has been dramatically transformed since 1997 – all in the name of effectiveness and community engagement – observations made not only by all those interviewed for this article and further explored by Skelcher (2010b) . A raft of new initiatives have been launched (and dropped), designed to have a positive impact upon the operation of local government – all of which it could be argued fall within the remit of so-called 'Joined-Up-Government' (JUG). Whilst many of these new enterprises have met with differing success levels, they have not been without their detractors. Indeed Painter *et al* (2003) noted wryly that local government has a bad case of 'initative-itis' caused by the stream of initiatives coming from various central government departments, with Stoker (2002) likening the situation to the national lottery. One chief executive commented:

I think that the drive to efficiency is over stretched, I think the degree of change and realignment and piloting things and then rolling them out before they have evaluated the pilot creates too much change and movement that can't be embedded and are destabilizing ultimately even if the ultimate goals are meant to be laudable.

One major note of warning was expressed by a chief executive who has direct experience of the machinery of both local and central government. He argued that an inherent danger of JUG was that rather than poorly performing services/organisations 'upping' their game to match the best performing partners, what could happen is an end result of mass mediocrity rather than public service excellence.

Whilst there have been attempts to provide co-ordination to these processes under the JUG agenda, there is still consternation that central government does not quite understand how and why local government operates. Indeed, one 2005 interviewee suggested that in terms of the public sector efficiency drive – the so-called Gershon Agenda – central government had much to learn from local authorities who after years of voluntary and involuntary competition ran very tight, efficient organisations (Gershon, 2004; Quirk, 2005). Gershon sought to identify efficiencies across the public sector and to redirect savings towards front-line services.

Further, it was suggested that for central government to pursue any form of JUG in relation to sub-national government was a misnomer. Examples cited here related to the often conflicting agendas evident within local authority, police and health service organisations operating within one locality – with each service being accountable to different central government departments and being funded

separately. Indeed, one chief executive spoke of his frustration with such issues, and of how at a meeting with civil servants in London, he introduced two senior civil servants who had issued his authority contradictory directives – he told them to resolve the issue and let him know the outcome.

One aspect of the JUG agenda which had been taken to heart was the idea of networking to achieve policy goals. Given the holistic view of local governance which now dominates, it was argued that without networking and partnership working, it would be impossible for local agencies to deliver desirable outcomes. Reasons for adopting such modes of operation differed from authority to authority. Within S1, it was argued that given the dispersal of a small population within a large geographic area, to expect one agency to deliver all services was nonsense, and that partnership operations were an operational necessity not a government fad. Against this, it is important to note the observations of Painter *et al* (1997) that there was is a risk in partnership formation in that they can be time consuming, with the inherent danger that the wrong partnerships may be formed. Indeed, such an observation was made by one chief executive:

> *Partnership working is another example, who would deny it is a good thing, but we have partnerships coming out of our ears, and if we stop talking about how these partnerships link, how they work and who is on then, and the agendas and everything, sometimes I think would be more effective, so I think the new agenda is flawed, shall I say.*

As such local authorities need a strategic view of their partnering activities, and of the associated transaction costs, described by Kumar and van Dissel thus:

> *Transaction costs are the costs of managing the interaction while keeping the opportunistic behaviour under control so that on-going co-operation between the units can be sustained* (1996: 291)

What was most striking about the adoption and use of partnerships was how they crossed the political divide. By far the two greatest advocates amongst the sample were the two London boroughs. In the Conservative led authority the rationale for entering into partnerships was far removed from the politically motivated 'externalising' mentality which prevailed during the 1980s and early 1990s. Indeed, it was noted that services externalised during this period had in fact being brought back in house to facilitate more effective operations.

The good governance requirement placed on local government since the implementation of the Local Government Act (2000) had made partnership creation a necessity. Here, of specific note was the strategic partnership in the field of information and communication technologies, where expertise and investment outstripped the resources available in-house to the organisation. Elsewhere, in L1 a radical reforming flagship London borough, the local authority had aggressively pursued a policy of focussing on strategic service delivery and improvement. This had been achieved via a policy of partnership and externalising functions where it did not possess the necessary skills and resources in-house. Between 1991 and 2005 the authority transferred over 5,000 of its workforce into partner organisations.

Hence, the partnership relationships were driven less by dogma and more by operational realities. Indeed another authority in the sample (S1) which in the early 1990s had been positively pursuing an agenda to externalise service delivery, was now seeking to use partnership arrangements in service areas as a means to regulate market mechanisms. This point is made by one chief executive thus:

> *When you came before (in 1991), the council was hell bent on outsourcing everything, I think it was outsourced too much, nearly all our care, now we are building our own care homes, and we are trying to regulate the market price, because we outsourced absolutely everything, and then you've got the private sector completely in control of the pricing mechanism for all care.*

Here, local government is mirroring best practice from supply chain management, whereby organisations seek external partners to provide expertise in areas of activity and provide stability in operating environments (Christopher, 2005). Further, other benefits will also accrue for organisations seeking to develop a network stance *vis a vis* organisational positioning. The 'rules of the game' which govern the participation of any organisation within a network can act as a behaviour moderating tool. As such Jarillo, again drawing upon supply chain management experience, noted:

> *An emphasis on long term relationships is also essential to the development of trust, because it makes clear that the relationship itself is considered valuable. Therefore opportunistic behaviour, which could cause a severance of the relationship, will be considered less likely. (1988, p.37)*

Alongside the formalised partnership arrangements identified above, there exists a raft of informal arrangements whereby local organisations with mutual areas of interest will seek to develop relationships with other bodies. Hence, the idea of the local government manager as a 'networker' or 'boundary spanner' (Williams, 2002) has emerged over recent years. Such relationships exist outside formal 'business' frameworks and relationships, and often depend for their existence and development on personality and mutual respect rather than power.

Hence, in examining the networking arenas within the two London boroughs, it was found that in L1, the Mayor who, has been a leading light in the activities of the authority for twenty years, is the consummate professional networker. In L2, however, the abilities of Leaders present different pictures. The Leader in the 1980s adopted a confrontational style, one not conducive to networking. This can be contrasted with the Leader in 2005 who was seen nationally as a leading player in local government, and locally as being instrumental in bringing strategic partners together on a number of issues, whilst providing the authority with an 'acceptable' national face.

Local government now has to conform to an impressive external inspection regime. The inspection environment can best be divided into two groupings: voluntary peer review and statutory review − with the former being less formal than the latter. The lynchpin to the formal inspection regime was the Comprehensive Performance Assessment (CPA), published each year which ranks authorities according to a range of criteria, and awards a star rating accordingly – with four stars being the highest accolade. The rationale behind the CPA at the time of its introduction was that authorities judged to be 'excellent' would enjoy greater freedoms to innovate, raise and spend money and be inspected less.

There was however some dissatisfaction that these freedoms had not materialised, and that alongside the retention of 'capping' powers, local government was still paying for the extreme actions of a small number of deviant councils. There was further dissatisfaction that the formal inspection regimes did not appear to be fully joined up. An example emerged from one authority of a seventeen-person inspection team to review a service area with a budget of £400,000, whilst the full blown CPA inspection team contained four members to examine corporate expenditure in excess of £300m.

Within one of the sample authorities which had been hailed as a flagship authority during the Conservative era of Prime Ministers' Thatcher and Major, there was a feeling that the incoming Labour Government may have been harsher on it than on other local authorities, purely on political grounds. Indeed, it was suggested that with the election of New Labour in 1997, the authority had been 'cast into the political wilderness'. However, the CPA scores for the authority, which consistently rated it as 'excellent', allayed these fears.

There was nevertheless the feeling amongst the interviewees that the peer review processes provided an informal sounding board to ascertain 'where authorities are' and were useful 'mock' examinations prior to formal statutory reviews. Indeed one chief executive was seeking to ensure that all chief officers and elected members participated in at least one peer review each year. This, it was argued, would allow the authority to share its experience as an 'excellent' rated council with others, as well as seeking out best practice elsewhere to adopt and apply within their own organisation.

At the time of the 2005 interviews, one authority, L2 was preparing to have an Improvement and Development Agency peer review. The authority had successfully argued that the standard review mechanism was inappropriate for its circumstances. The authority had successfully argued that rather than been reviewed against other English authorities, its peers were in fact international local authorities, and that as such it should have a review panel which reflected this. Hence, in addition to the English peer reviewers, the inspection team contained a UK based local government chief executive with international local authority experience, and the mayor of a major US city.

Given the status and nature of the local authority, it was argued that only by having such a review could an accurate picture of where it stood alongside its peers be gained. Interestingly, whilst the 'standard' review ran from Monday to Friday, L2 insisted that its population swelled during the weekend, only by being under review over the weekend could the reviewers gain a feeling for the managerial tasks faced by the organisation. This emphasis on the importance of managing over the weekend is in stark contrast to the evidence which emerged from the interviews in the early 1990s when it was the accepted view that chief officers and senior elected members would often retire to the country for the weekend.

Conclusion

From the interviews conducted in 2005, it was apparent was that local government was enjoying something of a renaissance. Local authorities were no longer *explicitly* seen as the collective whipping boy of central government held up as examples of public sector inefficiency. Whilst the evidence does not present a uniform picture of acceptance of the reforms post 1997, it was clear that local government can no longer be viewed as being 'under siege'. Rather, where reform was not uniformly welcomed, the resistance was far less hostile than that evidenced towards the local governance agenda of the Thatcher/Major years.

The opportunities afforded by central government have been seized by local authorities. Whereas the picture offered by Asquith in 1997 of a range of differing positions *vis a vis* local authority organisational development, the 2005 evidence points towards a less diverse picture. The emphasis on internal managerial and political efficiency and probity, combined with the need to pursue a wider strategic governance role, have combined to push all six authorities revisited towards the 'Entrepreneurial Citizenship' model. This has resulted in authorities pursuing the legislated agenda alongside a number of innovations which are specific to their locality - such as local partnership arrangements or democratic modernisation.

Whereas in the early 1990s innovation could be said to have been the domain of the two London boroughs, all six of those interviewed in 2005 indicated that their respective authorities shared a desire to drive the change agenda forward to both strengthen local services and the position of local democracy. What did remain constant, was the desire of the two London boroughs to continually set the pace and direction of change for local government as a whole. Given the success of a number of innovations to enhance the democratic process in L1, it will be interesting to see if central government seeks to replicate these successes elsewhere in England in the Localism agenda being pursued by the Conservative/Liberal coalition elected in 2010. Certainly early evidence regarding the increased uptake of the Directly Elected Mayor in the major urban areas has been far from a resounding success.

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Social Accountability for Local Government in Ghana

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Abstract

Social accountability is considered as one strategy of deepening Ghana's decentralised development administration. Some attempts have been made to empower local people to demand transparency and accountability from the local government system as required by law. The purpose of this paper was to assess the effectiveness of these attempts in 14 Metropolitan and Municipal Assembles. The data for the analyses were sought through key informant interviews with core Assembly staff, and focus group discussions with selected Assembly Members. The analyses revealed that the legal provisions made room for social accountability but the weak capacity of Assembly Members in terms of resources, the understanding of legislative provisions,

and the acceptability of the concept challenged its implementation. It is thus recommended that service provision in local communities should have capacity-building components that promote social accountability.

Keywords: Social accountability, local government, district assemblies, Public finance management, civil society, Ghana

Introduction

The notion of good governance as a necessary condition for sustainable development and poverty reduction has gained widespread currency, especially among international organisations and industrialised world nations (Punyaratabandhu, 2004, World Bank, 2007). Indeed, good governance has become a condition for development assistance from development partners (DP).

According to Hallak and Poisson (2006) and Sebudubudu (2010), the notion of good governance has several tenets of which transparency and accountability are key. The term 'governance' is defined as:

> *a set of values and principles that underpin state-society relations. This means allowing people, in particular the poor and marginalized, to have a say in how they are governed, in how decisions are made and implemented, in how diverging opinions are mediated and conflicting interests are reconciled in a predictable fashion and in accordance with the rule of law* (Lister 2010, 6).

Accordingly, governments all over the world have introduced a variety of conventional mechanisms, also known as horizontal accountability mechanisms – political, fiscal, administrative and legal – to engender transparency and accountability in the administration and management of public offices (UNDP, 1998; Malerna *et al,* 2004). Examples of political mechanisms include checks and balances offered by government and investigative commissions, auditing and financial accounting; these are essential fiscal mechanisms for ensuring transparency and accountability in the administration and management of public offices. Administrative mechanisms are evident in public sector codes of conduct, rules and procedures, while the legal mechanisms include corruption-control agencies and ombudsmen, among others.

Despite these efforts, the institutionalisation of the conventional mechanisms in the administration of public funds has yielded modest results in ensuring accountability and transparency of public office holders to the grassroots (World Bank, 2006; Yilmaz *et al*, 2008). Transparency International (2009) attributes the weak checks and balances to the corrupt practices of office holders. The ramifications have been the misapplication of public funds, financial malfeasance and lack of sustainability in planned interventions resulting in the slow pace of poverty reduction in many developing countries. Social accountability has thus emerged as a response to the weaknesses of the conventional accountability mechanisms. Accountability is an important building block in social accountability and the lack of it can lead to a crisis of legitimacy amongst citizens and their governments (Malena *et al*, 2004). Accountability is affected where there are weak checks and balances, lack of separation of power and absence of rule of law (World Bank, 2011).

The World Bank (2006) defined social accountability to mean: '*the broad range of actions and mechanisms (beyond voting) that citizens can use to hold the state into account, as well as actions on the part of government, civil society, media and other social actors that promote or facilitate these efforts'* (2006:3). Malerna *et al.* (2004) also define social accountability as '*an approach towards building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability*' (pg. 3). From these definitions, social accountability suggests using a 'bottom-up' approach to demand accountability that is demand-driven, that requires the availability of the structures and laws that define people's rights, and the extent to which they can go in exacting accountability from duty bearers. The significance of social accountability relies on providing a common platform on which different actors, including communities, private sector (e.g. service providers), civil society

organisations, government, media, etc., can work together to ensure local governments respond to the needs of the poor. Engaging in social accountability requires having certain skills, which cannot be taken for granted or assumed. It requires a conscious effort to build people's capacity to demand accountability and transparency from public office holders.

Accountability processes are both horizontal and vertical, described by Ackerman (2004) as *'proactive process by which public officials inform and justify their plans of action, their behaviour, and results and are sanctioned accordingly'* in which horizontal processes of accountability involve external involvement of another party (2004: 3). In the case of social accountability, ordinary citizens contribute to enhance horizontal accountability processes. Social accountability thus has a core relationship to sustainable development in supporting good governance and empowerment towards poverty reduction. Social accountability should however not be viewed in isolation from the conventional horizontal mechanisms to engender accountability, but as complementary in ensuring accountability from public office holders, and therefore, an accountability framework that combines citizen-led accountability mechanisms and the horizontal ones for achieving more effectiveness.

According to Malena (2004), the building blocks of social accountability are:
- Identifying an entry point e.g.: budget allocations or performance of service provider,
- Building an evidence base through compiling relevant public information which can either be supply-side government data or demand-side users' data,
- Public dissemination of findings through public meetings, events or the media,
- Building coalitions to initiate collective action, and
- Advocacy with public officials to bring change.

The building blocks show that engaging in social accountability requires certain basic skills including data collection, analysis and interpretation; budget analysis and interpretation; and advocacy, lobbying and negotiation skills, which very often ordinary community members expected to engage in social accountability may not have.

Decentralisation and Social Accountability in Ghana

Ghana introduced decentralisation in 1988 with the ultimate purpose of supporting participatory governance and improving service delivery and financial management to facilitate the achievement of a rapid socio-economic development (Ohene-Konadu, 2001). The local government structure is outlined in Figure 1 below.

Figure 1: The Local Government Structure
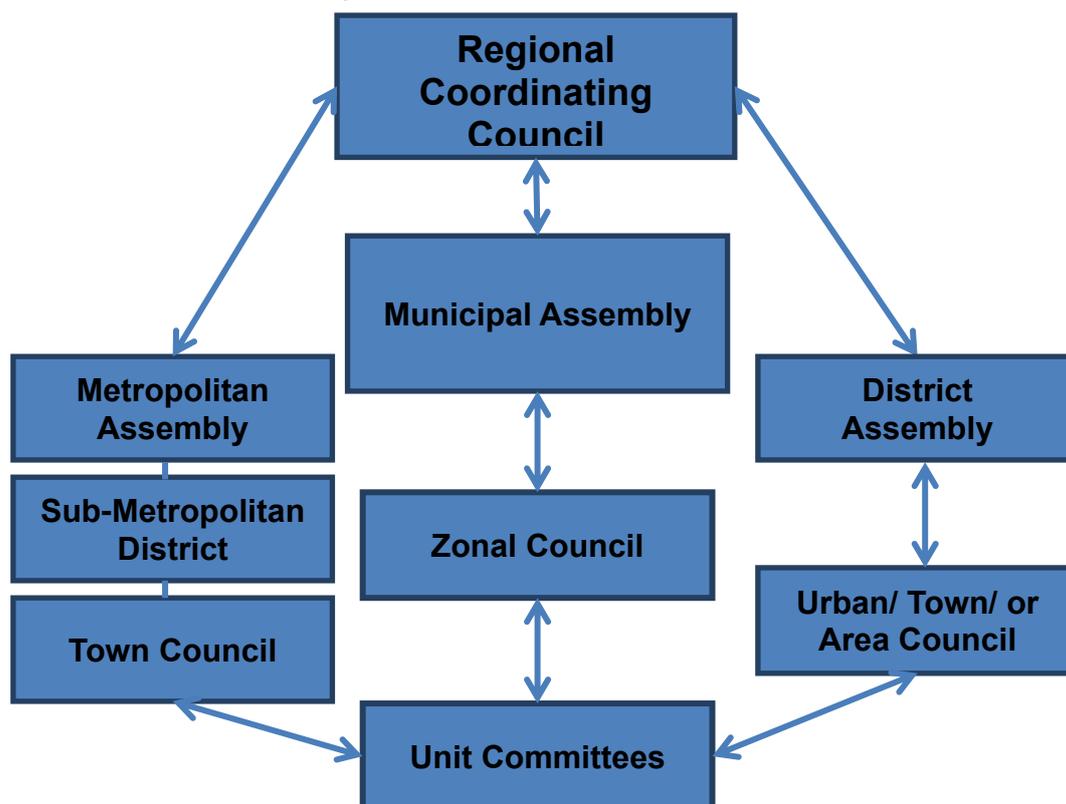
Source: Introduction to Ghana's Local Government System, ILGS, 2008

Emphasis has been on the involvement of communities in efforts to reduce poverty, generate growth and ensure central and local government accountability to citizens (NDPC, 2003). The decentralisation programme is anchored in six inter-related pillars: *political decentralisation; administrative decentralisation; fiscal decentralisation; decentralised planning*; *market decentralisation* and *spatial decentralisation*, underpinned by three interrelated strategies of transfer of power, competence and means (Cofie-Agamah, 2003; Wold Bank, 2003). The resources which accompany the transfer of power and competences from the centre to the Metropolitan, Municipal and District Assemblies (MMDAs) must be administered in a transparent and accountable manner. The fiscal decentralisation pillar however has not been fully implemented, due to the low capacity of the MMDAs to manage newly decentralised funds.

The World Bank (2003) maintained that Ghana's decentralisation programme was not fully implemented. For decentralisation to reduce poverty, generate growth and ensure accountability there must be the full transfer of power, competences and resources to the MMDAs to perform the numerous roles enshrined in the *Local Government Act 1993, Act 462*. This implies the need to ensure that the MMDAs have the capacity to manage the funds transferred to them, and that they are accountable to both citizens and central government to forestall mismanagement, misapplication and financial malfeasance that will inhibit local socio-economic and spatial development.

Informed by the necessity to ensure the required competence in the management of public funds, the Ministry of Local Government and Rural Development (MLGRD) aimed to embed social accountability in the use of public funds at the local level, and to ensure that people who are affected by planned interventions have the right and capacity to demand accountability and transparency from local politicians and administrators. Active civic engagement in development planning is seen as having a kingpin role in sustainable public financial management, a recipe for effective poverty and inequality reduction.

Social accountability in the use of public funds in Ghana is thus underpinned by a legislative framework that demands compliance by all actors. Based on this premise, this paper seeks to analyse the following questions:

- Are local actors aware of the rights and responsibilities enshrined in the national constitution and Local Government Act 462 to demand accountability from service providers?
- Do people affected by planned interventions have the capacity to demand accountability and transparency from local public office holders and service providers and, if so, is it happening?
- What is the level of compliance by the MMDAs with legislative provisions that seek to ensure prudent financial administration and management at local government level?

Scope and methodological approach

This paper investigates the attempts being made by local governments to improve public finance management through civic engagement in social accountability. The data are drawn from interviews with local government officials in 14 Metropolitan and Municipal Assemblies covering nine regions of Ghana that benefited from capacity building in social accountability provided by the MLGRD[15]. The Community Based Rural Development Project (CBRDP) emphasised capacity building for communities and Area Councils[16] to perform their statutory roles in planning and managing community-driven initiatives. The CBRDP aimed at resourcing rural communities through local government structures to improve their socio-economic status and deepen local participation in governance[17].

Two methodological approaches were employed to analyse the issues which address the research questions; desk and field studies. The desk study involved a brief review of local government legislation and policy, and project documents of the Government of Ghana. Horizontal accountability mechanisms reviewed as part of the legislative framework for social accountability in public finance

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[15] Three people each in 168 of the 216 MMDAs were trained in the use of the social accountability tools.

[16] Area councils are lower level sub-structures of the local governments in Ghana.

[17] The trainees received training in the use of social accountability tools including how to conduct public expenditure tracking surveys, the use of citizen report cards and community scorecards, forming local oversight committees, conducting public opinion polls, among others.

management include the *Local Government Act 1993 (Act 462), the National Development Planning Systems Act (Act 480)*, the *Public Procurement Act (Act 663),* and the *Internal Audit Act 2003*.

The field study was undertaken in three Metropolitan Assemblies and 11 Municipal Assemblies[18] (Table 1). Using semi-structured questionnaires, qualitative data were collected from key local government stakeholders in the selected Assemblies through key informant interviews and focus group discussions (Table 2). Stakeholders included the assemblies' core staff, Assembly Members and Area Council chairpersons. The core staff at the Assemblies includes Chief Executives, Coordinating Directors[19], Finance Officers, Planning Officers and Engineers.

Table 1: Metropolitan and Municipal Assemblies surveyed

Region	Metropolitan/Municipal Assembly
Greater Accra	Accra Metropolitan Assembly, Ashaiman Municipal Assembly
Volta	Keta Municipal Assembly
Upper West	Wa Municipal Assembly
Upper East	Bolgatanga Municipal Assembly
Western	Secondi-Takoradi Metropolitan Assembly
Eastern	Birrim Central Municipal Assembly Kwahu West Municipal Assembly
Central	Cape Coast Municipal Assembly Komenda/Edina/Eguafo/Abirem Municipal Assembly
Brong Ahafo	Sunyani Municipal Assembly Techiman Municipal Assembly
Ashanti	Kumasi Metropolitan Assembly Asante Akim North Municipal Assembly

Table 2: Number of stakeholders Interviewed

Stakeholders Interviewed	No of stakeholders Interviewed
Chief Executive	9 (out of 14)
Assembly members	28
Engineers	14
Planning Officers	14
Finance Officers	14
Coordinating Directors	7 (out of 14)
Area Council Chairpersons	28
Total Number of Stakeholders Interviewed	114

A total of 114 of 126 key stakeholders were interviewed, including the principal planning and finance officers in all the 14 Assemblies due to their centrality in project and financial management. Additionally, there were 8 focus group discussions in four Assemblies where there was evidence of on-going or completed projects in which local people were involved. (Plate1). The focus groups consisted of members from communities that had benefited from government or other interventions.

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[18] The local governments in Ghana are referred to as assemblies, with the metropolitan assembly being the largest in terms of size, followed by the municipality and then the district assemblies.
[19] The coordinating directors are the administrators that work for the local governments.

The following section first discusses core sections of the legislation that promote social accountability before discussing the findings from the interviews.

Legislative provisions in Ghana with social accountability components

Constitution of the Republic of Ghana

The *Constitution of the Republic of Ghana, 1992,* makes provisions for civic engagement in decision-making including the use of public funds, and stresses the importance of participation, transparency and accountability in their administration. The Directive Principle of State Policy 35 (6d) in the Constitution decentralises the administrative and financial machinery of government to the local level by affording all possible opportunities to the people to participate in decision-making. Furthermore, Chapter 24, 240 (2d) requires people in local government service to subject themselves to the control of local authorities. Similarly, Chapter 24, 240 (2e) requires local government authorities to be accountable to the local population who should be afforded the opportunity to participate in local governance. The social accountability provisions in the Constitution complement a provision that requires the Auditor General to audit the accounts of the Assemblies annually and submit its audit reports to Parliament. Internal auditors are also in place to ensure that the management of public funds complies with provisions in the law.

Local Government Act (Act 462) 1993

The *Local Government Act (Act 462)* of 1993 establishes and regulates the local government system in accordance with the Constitution. Decentralisation is generally expected to promote greater transparency, accountability, probity and efficiency in public services provision, and to incorporate local needs and conditions, and national objectives for the planning and delivery of public services (Keith and McCluskey, 2004).

The Act makes provisions for effective and efficient management of public funds. Section 10 (sub-section 3a) of the Local Government Act requires Assemblies to be responsible for the overall development of their areas, and to ensure the preparation and submission of their Assembly development plans and budgets through the Regional Coordinating Councils (RCCs) to the National Development Planning Commission (NDPC) and the Ministry of Finance and Economic Planning (MOFEP). Similarly, Section 11 of the Act makes the Assemblies responsible for the preparation and approval of its annual budget. Section 87 (sub-section 2) requires that moneys from the District Assembly Common Fund (DACF) received by the Assembly should only be spent on projects in the approved development plan.

Section 120 (sub-sections 2 and 3) of Act 462 requires that every Assembly should have an internal audit unit whose head is responsible to the General Assembly. The need for an internal audit is stressed by the Internal Audit Act (Article 16a). The head of the Internal Audit is required to audit the

Assemblies' accounts every three months and supply the Presiding Member[20] with his/her reports. The Auditor General (or an auditor approved by him/her) must audit the Assemblies annually and send the reports to the Minister, Parliament and Assembly (Section 121 (sub-section 1)). Section 121 (sub-section 4) of the Local Government Act mandates Assemblies to consider the audit reports from the auditors at their ordinary meetings.

The Act also states the composition of the Metropolitan/Municipal Assemblies. Section 5 (b) of the Act mandates the election of one person from each electoral area by universal adult suffrage in accordance with the Electoral Commission's regulations. Sections 21 (f) and 21 (v) require the executive committee (whose membership does not exceed one-third of the total number of Assembly Members, elected by the members from among themselves) to monitor and evaluate all policies, programmes and projects. Though Members of Parliament (MPs) do not have voting rights, they must be present at Assembly meetings. Assembly Members are also on Metropolitan/Municipal Tender Boards (Section 39 of Act 462).

The Assembly Members are required by Section 16 (a - j) to maintain close contact with their constituents and to relay Assembly discussions to their constituents for their feedback. Thus, constituents are represented in the Assemblies by their elected representatives, and could be said to be participating in local governance including financial management because their views are represented.

National Development Planning (System) Act (Act 480), 1994

The *National Development Planning (System) Act (Act 480)* of 1994 defines and regulates planning procedures in Ghana. The Act gives project beneficiaries the mandate to participate in the identification, selection and prioritisation of their development needs. The rationale is to ensure local ownership of planned interventions (Sections 3 and 4), which implies participating in the selection, costing and supervision of planned interventions. Sub-district authorities are required to prepare local action plans, or sub-district plans, and submit them for approval to the District Planning Authority (Section 5, sub-sections 1 and 3) which may be incorporated into the Assemblies' medium term development plans.

Public Procurement Act (Act 663), 2003

The *Public Procurement Act (Act 663)* of 2003 ensures transparency in the use of public funds for procurement. The Act seeks to harmonise the processes of procurement in the public sector to ensure judicious, economic and efficient use of public resources in public procurement. It also ensures that public procurement is carried out in a fair, transparent and non-discriminatory manner.

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[20] The Presiding Member is the corporate head of the Assembly. He calls for Assembly meetings and presides over the General Assembly meeting.

Section 17 (sub-section 1) of the Act mandates central management agencies, Ministries, Departments and Agencies, subvented agencies and others to establish a Tender Committee. The Committee should consist of the Director of Finance, a lawyer appointed by the MMDA, one Member of Parliament; and three heads of Departments one of whom represents the user department or agency. The Tender Committees should ensure transparency in procurement of goods, services or works through public funds.

Section 17 (sub section 2) requires public office holders to ensure that every stage of the procurement activity and procedures set out in the Public Procurement Act are followed. They are also required to exercise sound judgment in making procurement decisions, and refer any procurement above the approval threshold to the appropriate Tender Review Board. Section 20 (d) mandates Assemblies to establish Tender Review Boards to oversee public procurement.

Internal Audit Agency Act (Act 658), 2003

This Act establishes an Internal Audit Agency as a central agency responsible for the coordination, facilitation, monitoring and supervision of internal audit activities within MDAs and MMDAs. The overall objective of this Act is to secure quality assurance and application of standards of internal audit within these state institutions, and to ensure accountability and transparency of state institutions.

Article 16 of the Act requires the Assemblies to establish autonomous internal audit units to ensure effective and efficient auditing of their accounts. Sub-section 4 of Section 16 of the *Internal Audit Agency Act (Act 658)* of 2003 requires the Internal Auditor to submit audit reports to all stakeholders including the Auditor General, the Regional Coordinating Councils (RCCs) and the Assemblies. The Assemblies' Audit Report Implementation Committees, established under Section 30 (sub-section 1) of the *Audit Service Act (Act 584)* of 2000 are responsible for implementing the recommendations of the internal audit reports. Thus, the Act makes provisions for financial prudence at the Assembly level in line with the concept of social accountability.

Operationalisation of the Legal/Legislative Provisions: fieldwork findings

Data from the interviews showed that Metropolitan and Municipal Assemblies involve beneficiaries of planned interventions in project identification, design, implementation, and monitoring and evaluation in line with the legal provisions. Assembly Members are involved in budget approval and tracking, and are informed through Assembly meetings and Chief Executives' sessional addresses of any DACF, ceded revenue and other transfer payments to the Assemblies by the central government or development partners. The funds are used to finance approved development projects and programmes with the General Assembly having the right to question any misuse and diversion of funds.

The Audit Report Implementation Committees receive audit reports from internal auditors which are discussed with Assembly Members at assembly meetings. The Audit Report Implementation Committee is charged with the responsibility of implementing recommendations in audit reports.

There are, however some weaknesses in the implementation of this legal provision. The Presiding Member of the Assembly has no defined role in the *Internal Audit Agency Act (Act 658)* of 2003, nor in the *Public Procurement Act (Act 633)* in relation to his/her roles in the assembly. There is an ineffective involvement of citizens or the public who are the beneficiaries of the planned interventions in the financial management process, and Assembly Members who have to liaise between the central administration and constituents complained about low financial and logistical capacity to reach their constituents. Thus, contributions at Assembly meetings on effective public financial management largely represent the views of the Assembly Members. The Assembly Members indicated that in Metropolitan/Municipal Assemblies with dispersed populations and poor accessibility it becomes impossible for the Assembly Members to visit communities regularly and to engage them in Assembly decisions. It requires for example, hiring vehicles to go to remote areas, perhaps only in the dry season when the roads are accessible. Assembly Members are not entitled to transport allowance, so travel becomes difficult in municipalities that have rural communities with poor accessibility. Thus, providing feedback becomes difficult for some Assembly Members. The legal requirements become an additional cost to Assembly Members, which they are not prepared to incur as individuals, and the Assemblies do not cover such additional expenses.

Analyses of the data from the Metropolitan and Municipal Assembly interviews showed that Assembly Members play an active role in the local public financial management (PFM), and play pivotal roles in preparing and approving Assembly budgets. Furthermore, the General Assembly rectifies anomalies in the Assemblies' accounts identified by both the Auditor-General and Internal Auditors. The Assembly Members also ensure that the DACF is used for projects earmarked in development plans. Also, the Chief Executives at their sessional address inform Assembly Members of the amounts to be transferred to the Assemblies from the DACF. As required by Section 121, all the Metropolitan/Municipal Assemblies surveyed publicise their annual statement of accounts, and any other report from the Auditor-General, three months after the close of the financial year. In some of the Assemblies visited such as Techiman Municipal Assembly, this was pasted on the notice board for the information of the general public.

Nevertheless, there are challenges in terms of skills and resources of Assembly Members, including the inability of Assembly Members to give regular feedback to their constituents on Assemblies' proceedings because of limited financial and logistical support from the Assembly/government. However, Assembly Members are the elected local representatives of the local people and are

expected to serve their interest. Providing feedback to constituents requires having a good means of communicating with constituents which is lacking.

Additionally, the exclusion of Assembly Members from contract awarding limits the Assembly Members in demanding accountability from contractors on development projects. This was seen by all the Assembly Members interviewed as a critical weakness in their attempt to demand accountability from service providers. Thus, active participation of the constituents in the management of the Assemblies' funds is limited by competency, financial and logistic constraints. Election of Assembly Members, it was noted from the interviews, is sometimes done without considering the competencies of candidates, who may be elected based on their local popularity, generosity or other factors not related to their competency in local governance.

The interviews revealed continued weak capacity of Assembly Members although the situation seems to be gradually improving. Of the 21 (out of 28) Coordinating Directors and Planning Officers interviewed, 72% of them said very few Assembly Members actually appreciate their roles and responsibilities because of their literacy levels. The roles and responsibilities are set out in the relevant legal instruments such as the *Local Government Act (Act 462)*, the Constitution and the *Public Procurement Act (Act 663)*. This challenge makes it difficult for many of the Assembly Members particularly those with only basic level education to critically examine decisions of the Assembly. Others are unable to understand the legal provisions that guide them as a result of limited background training, such as teachers and informal traders. In addition, the Assemblies have few financial resources to train Assembly Members and rely on the limited capacity-building programmes of the MLGRD. With these weaknesses Assembly Members are unable to question anomalies, and are unable to demand accountability from duty bearers.

Although the interviews showed that project beneficiaries participate in the identification and prioritisation of development projects in line with the guidelines on preparation of the Assemblies' Medium Term Development Plans, this takes place in a very mechanistic manner to meet the requirements of the NDPC, with limited time for a rigorous participatory planning process. Interviewees also said that most of the sub-administrations are unable to prepare plans for incorporation into the Medium Term Development Plans due to weak capacity. For example, within Techiman Municipality only four of the 10 Area Councils have prepared their action plans. Similarly, in Sunyani Municipal Assembly, only two out of the six Area Councils had prepared action plans. Most of the Area Councils which have been able to prepare action plans received training under the Community Based Rural Development Project (CBDP), which suggests that local capacity building is important in enhancing the work of the Assemblies.

Evidence from the interviews also indicated that social accountability can be very effective at the community level, and citizen engagement is more effective when people appreciate the concept and are able to apply it. Explaining expenditure made by service providers and the challenges they encounter is also better appreciated by citizens when they have experience in preparing action plans and the principles of social accountability, thereby also making the work easier for service providers (Plate 1). Where problems were explained to community members, they were more than happy to suggest alternative solutions to help the service providers, as observed in the Asante Akim North Municipal Assembly. It was also observed that involvement of citizens in the practice of social accountability helped to inform community members about standards for basic community services. They were thus able to confront service providers when shoddy work was done. In the Asante Akim North Municipal Assembly, for example, women in one community said they confronted the contractor working on their culverts because they felt the shoddy job he was doing could become death traps for their children who were likely to fall into open culverts.

Plate 1: Project implemented with the principles of social accountability

The interviews in Sekondi-Takoradi Metropolis showed that through the application of social accountability mechanisms community members have seen the successful implementation of development projects (Plate 1). It has also helped to improve the relationship between service providers (teachers, community health workers, etc.) and beneficiaries. Thus, the application of the social accountability concept can be a win-win situation for all parties in ensuring effective public finance management if only communities are trained in social accountability and its implications.

With regards to procurement of goods and services, all the Metropolitan and Municipal Assemblies studied had Tender Committees in place as prescribed in the Act to oversee procurement of goods, services and works for the Assemblies. Procurement plans and their updates are submitted to the Tender Committees after budget approval at quarterly intervals.

However, it was noted that there are still some weaknesses in accountability through the procurement process. Contractors are not accountable to Assembly Members who also do not account to their electorates in the execution of contracts in their electoral areas, as they are not represented on the Tender Committees, especially at the stage of contract award. Their non-representation robs them of the details of the contracts (standards and specifications) which would help them to ensure effective

monitoring of contracts implementation. This was expressed as a major concern by all the Assembly Members interviewed, and this weakness in Assembly procurement practices encourages the service providers to deliver shoddy goods and services. In a focus group discussion with community members at Asante Akim North Municipal Assembly, one of the participants said:

> *the contractor working on our culverts was rude to us when we complained about the shoddy job he was doing. He told us we were not the ones who contracted him and therefore had no right to question his work and tell him what to do.*

With regards to auditing, all the Metropolitan and Municipal Assemblies interviewed had autonomous Audit Units. Internal Auditor audits the Assembly accounts every quarter and they submit their reports to the RCCs and the Assemblies. The interview results showed that all the Assemblies had established Audit Report Implementation Committees with the Presiding Members as the chairpersons. The Assemblies are required to justify anomalies reported in the audit reports and where the justifications are unreasonable, sanctions are applied to the affected persons.

However, as noted earlier, due to the low capacities of the Assembly Members, their constituents are rarely informed about the outcome of an audit. This limits the accountability of public officers in the financial management process to horizontal accountability to the RCC and the Auditor General, and no vertical accountability is achieved. Presiding Members also have no defined roles as the chairmen of the Audit Report Implementation Committees in the *Internal Audit Act (Act 633)*.

Challenges to promoting social accountability at local government level

The attempt to enhance and promote social accountability through citizen involvement to ensure transparency and accountability, as is expected of decentralisation, is not without challenges. The Constitutional and legal provisions have not been effective due to the low capacity of Assembly Members to engage their constituents and provide them with regular feedback from the Assembly and solicit their views to take back to the Assemblies. Engaging in social accountability also requires skills and practice for experience, which even those who have been trained in it are yet to develop.

While decentralisation offers anyone the opportunity to participate, Assembly Members require an appreciable level of educational, competency and knowledge of the legal instruments and public administration to be able to work efficiently in the local government system.

Accessibility came out as one major constraint that hindered effective participation of community members in deliberations on public finances of local interventions. Of the 28 Assembly Members interviewed, 89% said that it is expensive to visit all their constituencies especially those in remote rural areas. Such communities are therefore cut off from participating effectively in local governance matters including monitoring of public finance.

It was found that enforcement of the legal provisions could not ensure effective public management. Local governments are often unable to enforce legal provisions due to unclear roles of stakeholders, lack of cooperation from the law enforcement agencies, little understanding of these provisions, and the weak capacity of some of the core assembly staff, community members, Assembly Members and other stakeholders at district level. The weak and underdeveloped nature of the sub-assembly structures may also inhibit effective use of the legal provisions aimed at preventing financial malfeasance in order to reduce poverty and inequality. This situation is also compounded by the weak civil society organisations at community level in the 14 Assemblies visited. Though active in urban areas, community organisations are sparse at the sub-assembly level and are rarely engaged in governance activities. Thus, the further away one moves from the urban centres the weaker the activities and effectiveness of civil society that is considered as a key component in the application of social accountability mechanisms. The lack of strong civil society organizations in local communities to drive the social accountability agenda and to get the concept institutionalized is a major challenge for ensuring accountability at the Assemblies.

Generally, citizens are also ignorant about their role in ensuring local accountability and transparency, which became apparent through implementing the CBRDP in the 14 Assemblies. According to some of the participants who benefited from capacity building in the CBRDP and had to pilot social accountability skills, particularly the use of community score cards at on-going project sites, they encountered some antagonism from service providers and had to spend inordinate amount of time explaining the positive side of the exercise to the service providers. Thus, social accountability could be perceived as witch-hunting or punishment if not well communicated. There is the perception among service providers and even some Assembly staff that social accountability is meant to witch-hunt opponents and hence there is a lack of commitment to the process. This further points to limited awareness creation and the need for capacity building at all levels to make decentralisation achievable.

Recommendation and conclusions

From the discussions above, it can be concluded that while a fairly good horizontal accountability has been achieved in Ghana's decentralised administrations, there is weak vertical accountability due to various factors including weak sub-structures and weak capacity of those expected to promote social accountability. As mentioned earlier, vertical accountability requires external involvement of other participants, a role that citizens and civil society organisations are expected to play.

Social accountability is still fairly new at all local government levels, and therefore awareness about this mechanism is new to many, including Assembly staff. The paper shows that only very few people benefited from capacity building in this new mechanism of improving public finance management; more people need to be aware of the process before the full benefits can be realised and Assemblies

will have to invest in the process. However, Metropolitan and Municipal Assemblies are complying with the legal provisions to ensure prudent financial management but in a mechanistic manner, and often excluding lower tier organisations so only the vertical accountability appears to be working.

Based on the above, it is recommended that any intervention for local communities at the local government level should have capacity building for social accountability as a component, to empower citizens to play active roles in monitoring interventions and demanding accountability from the service providers to ensure efficient public finance management and ultimately, to achieve the goals of decentralisation and poverty reduction.

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Legislation

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The National Development Planning System Act 1994 (Act 480)

The Public Procurement Act 2003, Act 663

Constraints on Property Rating in the Offinso South Municipality of Ghana

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Abstract

The potential of property rate has been least tapped by decentralized governments in Ghana. This paper investigates the property rating system in Ghana through a case study of Offinso South Municipality (OSM). Questionnaires were used to gather empirical data from property owners in the municipality. The paper finds that there is inadequate property tax administration system and high public disdain for the property tax in OSM, with a significant association between compliance with the property tax and land use regulations in OSM. The paper suggests that the Offinso South Municipal Assembly (OSMA) should improve its land use planning system to facilitate voluntary compliance with the property tax. OSMA should also address accountability and transparency problems in the property tax system in order to increase public confidence in the tax regime. The OSMA should also improve on the property tax collection modes by computerising the billing and collection processes.

Keywords: property rate, land use planning, public disdain, Offinso South Municipality, Ghana

Introduction

Decentralization is generally expected to promote greater transparency, accountability, probity, and efficiency in urban services provision. It is expected to incorporate local needs and conditions and national objectives in the planning and delivery of public services (Keith and McCluskey, 2004). Efficiency, effectiveness and legitimacy concerns are the main drivers of decentralization (McCluskey and Bevc, 2007). Local authorities that facilitate broad based participation in governance, are more responsive to local needs and more capable of appropriately addressing local challenges (Baldersheim *et al*., 1995). The autonomy provided by internally generated funds is of extreme importance to the well-being of decentralized governments (Livingstone and Charlton, 1998). This is essential for the success of any decentralization programme. Fiscal decentralization and local governance lead to the realization of improved economic efficiency and accountability in a country (Kelly, 2000). Fiscally a decentralized system has the potential of maximising efficiency (Okrah and Boamah, 2013). Fiscal autonomy for local governments however, depends on the efficacy of tax instruments at the disposal

of local bodies, the growth potential of non-tax revenues and principled inter-governmental transfers (Kapoor and Ghosh, 1992). An efficient tax system provides a predictable revenue stream, has a limited administrative burden and is fair (Bell, 1999).

Property rate is the most common, dependable and sustainable source of revenue to local governments worldwide. It is one of the most lucrative sources of local government financing (Mou, 1996). It is thus essential for the success of fiscal decentralization and the financing of local infrastructure and service delivery. For instance, it is a key source of revenue for local authorities in most OECD countries (Hefferan and Boyd, 2010). Property taxes constitute 100% of local tax revenue in Australia and Ireland, 99% in the United Kingdom, 93% in Canada and 72% in the United States (Braid, 2005), and the tax forms more than 2% of developed countries GDP (Bahl, 2009).

Despite the immense contribution of property tax in developed nations, its potential is generally under-exploited in developing countries (Lall and Deichmann, 2006). Property tax revenue constitutes less than 4% of all tax revenues in developing and transitional countries, and averages 0.42% and 0.54% of Gross Domestic Product (GDP) of developing and transitional countries respectively (Kaiser, 2005; Bahl, 2009). There are low rates of property tax collections across a sample of municipal corporations in India (Rao and Ravindra, 2002). The tax accounts for less than 10% of local revenues in the Punjab province of Pakistan (Ellis, et al., 2007). It is about 80% of local government revenue in Thailand, but its potential is highly under-exploited (Varanyuwatana, 1999). Property taxation raises about 27% of local government tax revenue in 52 municipalities in Latin America (De Cesare, 2004). It forms about 22% of total recurrent revenues of local authorities, 1.3% of total government tax revenue, and 0.3% of GDP in Kenya (Kelly, 2000).

Property rate has been employed by various governments of Ghana since the colonial era. Several statutes have been passed for the regulation of property rating in Ghana. These include the Municipal Rating (Immovable Property Rate) Regulations (L.I. 212), 1959; the Local Government (Immovable Property Rate) Regulations (L.I. 40), 1960; the Local Government (Immovable Property Rate) Amendment Regulations (L.I. 348), 1964; the Municipal Rating (Immovable Property Rate) Amendment Regulations (L.I. 349), 1964; the Municipal Rating (Immovable Property Rate) Amendment Regulations (L.I. 650), 1970; the Immovable Property Rate Amendment Regulations (L.I. 1049), 1975; and the Local Government Act (Act 462), 1993. In Ghana, section 94 of Act 462 makes Metropolitan, Municipal and District Assemblies (MMDA) the rating authorities in their areas of jurisdiction. The Act 462 has therefore assigned powers of determining, levying and collecting property rate to the MMDAs in the country. Section 95 (1) states that:

> *A District Assembly (DA) shall make and levy sufficient rates to provide for that part of the total estimated expenditure to be incurred by it during the period in respect of which the rate is levied and which is to be met out of money raised by rates.*

Despite this legal backing and the potential of property rates to raise revenue for local development and services delivery, the MMDAs have not been able to mobilize property rate effectively and efficiently. The result is that the MMDAs in Ghana rely on central government transfers such as the District Assemblies Common Fund (DACF) as their main source of funds. Since property rates are levied only on fixed property in Ghana, it should be relatively easy for the MMDAs to mobilize property rates compared to market tolls. Also, the stock and quality of immovable properties continue to increase thereby continuously enhancing the revenue potential of property rates. It is therefore an irony that the MMDAs should leave such a huge and guaranteed revenue potential untapped and rather focus on the DACF. Discussion with rating officials shows that most properties have either not been valued or re-valued over a long period of time; local authorities are either unwilling or incapable of mobilizing property rates and tax payers are reluctant to pay.

The contribution of property tax to government revenue is negligible in Ghana; it formed 0.21% of decentralized government's revenue correspondingly in 1997 and 0.19% in 1999, and only 0.03% of the country's' GDP in 2010 (Kwakye, 2010; Government of Ghana, 2011). Property tax contributed 10.8% of the total revenue of the Accra Metropolitan Assembly (AMA) in 2004 and 7.6% in 2005 (Adem and Kwateng, 2007). Data from the Kumasi Metropolitan Authority (KMA) show that property rate raised 5.6% of the KMA's total revenue in 2006 (Obeng-Odoom, 2010). Available data from the Wa Municipal Assembly (WMA) suggest that the WMA was only able to mobilize 58.56% of its projected property rate revenue in 2004 and 88.51% in 2008. In the Offinso South Municipality (OSM) available data show that the contribution of property rate to local revenue was less than 9% over the 2005 to 2009 period. Also, the Offinso South Municipal Assembly (OSMA) was only able to realize 24.21%, 75.65% and 71.78% of its projected property rate revenue in 2005, 2006 and 2008 respectively. Less than 40% of taxable properties in OSM are on OSMA's tax roll. Both the coverage and collection ratios appear low in the OSM.

Scope and methodology

The paper investigates the property rate regime in OSM. It solicits the perceptions of property owners on the property rate system, and investigates residents' willingness to pay and their expectations from property rate. The paper again examines any possible link between the planning regime and the level of compliance to property rate payments. Field data were gathered in the Offinso South Municipality through questionnaires. Eight neighbourhoods from the municipality were selected for data collection through random sampling. Random sampling was again employed to select fifteen non-exempt properties from each of the sampled neighbourhoods. Due to the poor numbering of properties in some of the selected neighbourhoods, in five neighbourhoods properties were renumbered to ease the data collection exercise. A total of 120 rateable properties were surveyed, and interviews held with owners of these properties, as the responsibility for paying property rates in OSM falls on the property

owner. Data were obtained from the respondents through questionnaires. The Municipal Budget Officer (MBO) and the Chief Revenue Superintendent (CRS) were also interviewed due to their knowledge and direct role in property rating.

The study area

The study area is the Offinso South Municipality (OSM), located 17 km North-West of Kumasi, the second city of Ghana, administrative capital of the Ashanti Region and seat of the Asante Kingdom. The municipality has a land area of 1,350km², a population of 138,676, and a population density of 103 people/km² in 2000 (Ghana Statistical Service (GSS), 2005). Individual families own properties which are mainly not for sale due to tradition and inheritance is matrilineal. A family consists of both the living and the dead of the same maternal lineage. All family properties belong to the dead, the living and the unborn. This forms the basis of the general non-disposability of family properties in the OSM. The living are obliged to protect property for themselves, the dead and the unborn. The fear of ancestral retribution (*nsamantoa*) generally reinforces the non-disposability of family property (Boamah, 2012).

Property rate and local governance

Rising demand for municipal services and infrastructure requires the availability of a reliable and sustainable stream of income for decentralized governments. Urbanization and decentralization have created the need for local governments to improve local revenue mobilization in order to enhance local infrastructure and services provision (Ellis et al., 2007).

The taxation of real estate property is the most progressive and assured way of raising stable, predictable and sufficient revenue stream for local authorities and facilitating fiscal decentralization (McCluskey *et al*, 2003). Property tax is also politically visible, and economically efficient (Qing and Guo, 2006; Monkam, 2011). It is neutral on its influence on tax payers' economic decisions and therefore constitutes an efficient means for local government units to mobilize revenue (Trasberg, 2004), and one of the best local taxes owing to the immovability of the tax base (Bird and Slack, 2002). The tax is well-suited for local governments to generate revenue for the financing of their infrastructure investments and the provision of municipal services (Keith, 1993; Kelly, 1998; Lall and Deichmann, 2006). Property tax is also least affected by short-term income and economic dynamics since properties exhibit long-term asset values appreciation.

Taxation of property helps to reduce the dependence of decentralized governments on central government funding, and is an important means for realising fiscal empowerment of local governments (Mathur, et. al. 2009). Property tax possesses the potential to impact positively on the fiscal autonomy of local authorities (McCluskey and Bevc, 2007). The tax strikes a balance between economic efficiency and fairness and hence much more acceptable to the local electorates (Davis et

al, 2004). Property tax is an ideal tax for local governments in low-income countries since it serves as benefit levy, is progressive in its distribution of the tax burden, and has significant revenue-raising potential (Bahl, 2009). In addition, its ability to mobilize revenue for local authorities has immense potential as a tool for land and urban development policies (Kapoor and Ghosh, 1992). It is imposed for the purpose of mobilizing revenue for government, public purposes, infrastructure, municipal services, or land use planning (Needham, 2000). It is therefore an important component of local government finances in many nations.

The property tax system in most developing countries has several challenges. This may be the consequence of poor tax administration and policy. For instance, in most African countries, central governments hesitate to transfer property tax policy and administrative authority to local governments and are uninterested in the promotion of property tax reform (Kelly, 2000). The limited buoyancy of property taxation in developing and transitional countries may arguably be due to an under-developed fiscal decentralization regime (Bahl and Martinez-Vazquez, 2008). Property tax has been ineffective in low-income and transition countries partly because of legal exemptions, under-valuation, and low coverage ratios (Bahl, 2009). For example, the physical, financial and human resource capacity required for effective property taxation is a major challenge in east and southern African nations (Bird and Rodriguez, 1999; and Franzsen, 2002). The availability of professional valuers is central for the success of property rating. Despite the central role of property assessment to the success of any property rating regime professional expertise are generally lacking in most developing countries.

Property taxation in the Offinso South Municipality

The results of the field survey are presented in this section, with discussion of issues such as compliance rates, the role of land use planning, respondents' perceptions of rating officials, willingness to comply, and residents' expectations.

Compliance with property rating in OSM

The compliance rate with property taxation appears low in OSM. Table 1 (Panel A) indicates that 42.5% of the respondents did not pay property rates. A very high incidence of non-compliance will make the property tax less buoyant, (McCluskey *et al*, 2003). This appears to be the case in OSM. A non-compliance rate of 43% suggested by the data is extremely high. This has been complicated by the lack of enforcement against non-compliance partly because of political or bureaucratic interference, which undermines the efficiency of the tax collection system and enforcement against non-compliance (McCluskey *et al*, 2003; Lall and Deichmann, 2006). As one rating official said:

> *There is extreme interference in the prosecution of defaulters. There is complete lack of commitment on the part of the administration to implement enforcement decisions.*

Large scale violations of property tax regulations as observed in OSM, however, make enforcement against non-compliance such as prosecution or seizures of property socially and politically imprudent.

For enforcement to be successful its associated social and political cost should be minimal; this requires that the degree of non-compliance should be reasonably low.

Table 1: Compliance with Property Taxation in OSM

Panel A: Compliance to Property Rate Payment (%)			
Paid Property Rate	Frequency	Percentage	Cumulative Percentage
Yes	69	57.5	57.5
No	51	42.5	100
Total	120	100	
Panel B: Demand Notice			
Received Demand Notice	Frequency	Percentage	Cumulative Percentage
Yes	62	51.7	51.7
No	58	48.3	100
Total	120	100	
Panel C: Compliance to Demand Notice			
Honoured Notice	Frequency	Percentage	Cumulative Percentage
Yes	47	75.8	75.8
No	15	24.2	100
Total	62	100	

Source: Author's Data, 2012

Table 1 (Panel B) suggests that 51.7% of the respondents received a property rate demand notice from OSMA, indicating low coverage. Also, Panel C (Table 1) shows that 24.2% of the respondents who received a property-rate demand notice from OSMA did not honour it, suggesting a low collection rate. The data show that out of the 57.5% of the respondents who paid the property rate only 68.1% were on OSM's valuation list and were thus issued a demand notice by the rating authority. The remaining 31.9% of the respondents either paid voluntarily or were prompted by OSMA's mobile property rate collectors. The data show that low coverage and collection ratios are partly responsible for the low property rate yield in the OSM.

Land use planning and property rating in OSM

Act 465 establishes the MMDAs as the planning and rating authorities of their jurisdictions. OSMA is thus the rating and planning authority in OSM. The Act makes it mandatory to obtain a building permit for all development (new developments, extensions to existing properties and change of use). Public discontent with the planning system is high, leading to large scale violations of the land use regulations in OSM (Boamah *et al*., 2012; Boamah, 2013). The evidence in this paper suggests that the violations of land use regulations appear to be linked to compliance with property rating. Table 2 indicates a statistically significant relationship between property rate payments and compliance with land use regulations in OSM (Chi-square 6.54, P-value 0.011). The data indicate that the respondents

who applied for building permits for their properties are more likely to pay property rates (75.6% compared to 59.8% for all respondents) and those who did not apply for building permits are more likely not to obey property rating regulations (48.7% in relation to 40.2% for all respondents). The Table further shows a statistically significant association between issuance of demand notice and the planning status of the property (Chi-square 9.87, P-value 0.002). Owners of approved properties are most likely to be issued property rate demand notice from OSMA whilst owners of unapproved properties are most likely not to receive one. The property owners may not be held responsible for defaulting property tax if they have not been billed. OSMA is thus largely to be blamed for the low property rate yield in OSM.

Table 2: Permit Applications and Property Rating in OSM

		Applied for Permit (%)			Pearson Chi-square
		Yes	No	Total	
Paid Property Rate	**Yes**	75.6	51.3	59.8	6.54
	No	24.4	48.7	40.2	0.011**
	Total	100	100	100	
Received Demand Notice	**Yes**	77.9	45.5	55.9	9.87
	No	22.1	54.5	44.1	0.002**
	Total	100	100	100	

Source: Author's Data, 2012, ** p-value.

The significant association between the compliance rates for the property tax and the land use regulations may be due to general public disdain and lack of confidence in both the rating and planning systems in OSM. It is also possible that owners of unapproved properties may be afraid that by paying property tax they may be noticed and sanctioned for non-compliance with the land use regulations. This however, appears less likely since properties are very conspicuous and it does not require special effort to identify unauthorised properties. Also, enforcement against breach of land use regulations is virtually non-existent in OSM (Boamah, 2013). It appears that OSMA has not been able to capture the large number of unapproved properties in OSM on its valuation list, as evidenced by OSMA's inability to issue property rate demand notice to the owners of such buildings.

The relation between the planning system and property rating may be due to the degree of informality in the municipality. It is important to note however, that unapproved properties are generally of high quality and are located on approved residential areas and building lots. Land allocation is done by the Offinso Traditional Council (OTC) based on OSMA's approved land use plan. Developers are, however, expected to seek planning consent from the OSMA, but most developers ignore this after receiving land, leading to large numbers of unapproved properties in planned areas of OSM. Thus the significant positive correlation (Pearson 0.336, p-value 0.010) between the compliance rates for the land use and property tax regulations may be due to public disdain for both systems.

Perceptions of property tax payers about the attitudes of rating officials

As shown in Table 3, there is also a statistically significant association between tax payers' perceptions of rating officials and compliance (Chi-square 9.24, P-value 0.002). The respondents who have positive perceptions about the attitudes of rating officials are more likely to recommend compliance to other property owners (94.5% relative to 89.4% of all respondents) whilst tax payers' who hold negative perceptions about rating officials are more likely not to recommend compliance to other property owners (36.4% compared to 10.6% of all respondents). This shows that tax payers' who are satisfied with the attitudes of the rating officials are likely to honour future property rate demands and also encourage other property owners to pay. Similarly, the respondents who are dissatisfied are more likely not to honour future property rate obligations and also discourage others from property rate payments. This kind of ripple effect may be partly responsible for the large scale non-compliance with property taxation in OSM.

Table 3: Perceptions on Official Attitudes and Recommendations

		Perceptions on Official Attitude (%)			Pearson Chi-square
		Positive	Negative	Total	
Recommend Payment	**Yes**	94.5	63.6	89.4	9.24
	No	5.5	36.4	10.6	0.002**
	Total	100	100	100	

Source: Author's Construct, 2012, ** p-value

Public dislike for the imposition of property rate

The data indicate that 58% of property owners agree with the imposition of property rate in OSMA and 42% disagree. Although, the proportion of the respondents supporting the property tax is higher than those with contempt for it, the 42% of the property owners who objected to the imposition of the tax is relatively high, which may partly explain the lack of buoyancy of property rate revenue in OSM. About 61.7% of respondents who dislike the property rate cite the misuse of property rate revenue and the absence of basic infrastructure and services in OSM, giving little justification for the property rate. The remaining 38.3% of respondents disliking the property tax mentioned socio-cultural reasons such as indigenous land rights as the reason.

Table 4: Agreement with Property Taxation and Neighbourhood Development

Awareness		Agree to Property Taxation (%)			Pearson Chi-square
		Yes	No	Total	
Benefited from Property Rate	**Yes**	83.3	16.7	100	8.23
	No	50.6	49.4	100	0.004**
	Total	57.8	42.2	100	

Source: Author's Construct, 2012, ** p-value.

Table 4 shows a statistically significant relationship (Chi-square 8.2, P-value 0.004) between respondents' support for the property tax and its perceived benefits, as those who have benefited from property tax investments in their communities generally support its imposition (83.3% relative to 57.8% for all respondents). Those who perceive that their neighbourhoods have not gained from the property tax are more likely to hold the tax in contempt (49.4% relative to 42.2% of respondents). Table 5 indicates that respondents who are unopposed to the property tax are more likely to pay (67.7% compared to 61.3% of all respondents), and those who oppose the property tax are more likely not to pay (47.8% relative to 38.7% of all respondents). The result indicates that public disdain for the property tax regime has had negative impact on the buoyancy of property tax revenue in OSM.

Table 5: Agreement with Property Taxation and Compliance

Awareness		Agree to Property Taxation (%)			Pearson Chi-square
		Yes	No	Total	
Paid Property Rate	Yes	67.7	52.2	61.3	2.73 0.098**
	No	32.3	47.8	38.7	
	Total	100	100	100	
Honored Demand Notice	Yes	85.3	67.9	77.4	2.67 0.102**
	No	14.7	32.1	22.6	
	Total	100	100	100	

Source: Author's Construct, 2012, ** p-value.

Respondents expectations from the property tax

The relatively high public disdain for the property tax in OSM may be due to unmet public expectations. Table 6 indicates that 25%, 10%, 27.5% and 8.3% of the respondents expect OSMA to invest property tax revenue in general infrastructure and service delivery, education, urban roads and utility provision.

Table 6: Respondents Expectations from Property Taxation

Reason	Frequency	Percentage	Cumulative Percentage
General Infrastructure and Service provision*	30	25	25
Education	12	10	35
Urban Roads	33	27.5	62.5
Utility	10	8.3	70.8
Proper Waste Management	4	3.3	74.1
Public Toilets	16	13.3	87.4
Security	1	0.8	88.2
Markets	2	1.7	89.9
No Response	12	10	100
Total	120	100	

Source: Author's Construct, 2012. * Respondents could select more than one option (e.g. education and utility).

Visible evidence in the municipality shows that facilities are generally inadequate. Educational infrastructure is limited and some schools have been maintained for forty years. Urban roads are lacking and some neighbourhoods are without access roads. Households' access to piped water and electricity and is also limited in some neighbourhoods. Public disdain for the property tax and the limited buoyancy of property tax revenue may also due to these unsatisfied public expectations.

Policy implications of the findings

High non-compliance rates, lack of enforcement against compliance, general public disdain, and negative perceptions about rating officials all seem to have contributed to low property tax yield in OSM. The data indicate that the respondents who are dissatisfied with the municipal authority's disbursement of the property tax revenue are less likely to pay the property tax and are even more likely to discourage others from paying. Due to the extended nature of the family system and strong socio-cultural relationships amongst property owners in OSM, the ripple effect of public contempt on voluntary compliance could be severe. It is thus important for OSMA to be transparent in the use of the property rate, making reasonable investments in urban infrastructure such as education and access roads which may have the potential to encourage voluntary compliance, as the field data suggest that a major constraint to the success of the property tax in OSM is the widespread perception that proceeds are misused and not invested in community services. Public confidence in the tax system is essential for the success of property taxation (Bahl, 2009). OSMA should purge the property tax of perceived corruption and negative official attitudes, which has the potential to encourage compliance, and reduce the social and political cost of enforcement.

The field data also suggest a strong association between the planning system and property tax in OSM. Property owners who complied with the planning system or are satisfied with the planning system are more likely to comply voluntarily with the property tax. This link between the planning system and the property tax may be due to public contempt for both systems, or to socio-cultural factors perhaps because a property that is formal in one aspect is likely to be formal in others. Efforts at improving the land use planning system may thus yield dividends for the property tax system, so it may be important for OSMA to address the inherent problems in its land use planning regulations. We argue that developers who successfully secure building permits with few hurdles tend to have confidence in the municipal authority and subsequently comply with the authority's property rate regulations. An improved land use planning system will also make it easier for OSMA track new developments and update its valuation list regularly. Improving the land use planning system will also reduce the degree of informal development; encourage compliance with the property tax; enhance the coverage and collection rates, and thus increase the yields to OSM.

Comprehensive reforms of the property tax regime incorporating property data collection and valuation, tax assessment and collection, and enforcement against non-compliance are needed in

OSM, but administrative, regulatory, and technical shortfalls may undermine efficiency of the property-tax collection system and enforcement against non-compliance (Lall and Deichmann, 2006). Thus it may be appropriate for OSMA to employ GIS techniques and a tax-mapping system in property identification to capture all properties within its jurisdiction, both taxable and non-taxable, on the tax roll. A high coverage ratio is a prerequisite for successful mobilization of the property rate.

However, OSMA has no qualified valuation professionals in-house though trained and certified valuers are not scarce in Ghana. What is needed is an efficient state institutional framework to utilize their expertise in ensuring efficient property-rate administration in the country. OSMA staff indicated that they lack legal powers to recruit rating officers directly, but have to get approval from the head of the Civil Service of Ghana or the Local Government Secretariat, and the municipality has not been successful in securing such an approval.

The lack of qualified professionals to manage the property tax regime is a major obstacle to optimising property tax revenue in OSM. It is thus important for central government to remove the bureaucratic obstacles for decentralized governments in recruiting valuation professionals to enhance the property tax administration and maximize property rate revenue in the country. It is equally important for OSMA to strengthen the property tax administration system in the municipality. A weak system for administering property tax may lead to an inequitable distribution of the tax burden and surge public disdain against it (Monkam, 2011). An improved administration is essential for the buoyancy of property tax revenue (Kelly, 2000), and is vital to ensure that all properties within the authority's jurisdiction are captured on the tax roll, so that there is adequate valuation, accurate tax assessment, adequate collection and enforcement.

Conclusion

The study clearly shows that an inadequate property tax administration system, inadequate personnel, increased public contempt and perceived corruption have undermined the property tax system in OSM. Limited coverage of the tax base, inaccurate valuations, and inadequate enforcement and collection are partly responsible for poor collection rates, and it may be difficult for OSMA to justify the payment of the property rate without improving services and infrastructure in the municipality. It is recommended that OSMA strengthens the enforcement of property tax collections, expands the coverage ratio, regularly updates the valuation list, and computerises the billing and collection process in order to improve property rate mobilization in OSM. OSMA should also remove bottlenecks in its land use planning system since compliance with this is likely to translate to compliance with the property tax. OSMA should further ensure accountability and transparency in the property tax administration system in the municipality.

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RESEARCH & EVALUATION

Looking Back, Moving Forward: Towards Improving Local Governments' Performance in Ghana

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Abstract

This paper, based on a desk study, adopts a path-dependent perspective to explore how local government authorities in Ghana have attempted to institutionalise performance management at the organisational level. It questions the existing performance diagnostic framework that is used to assess local government authorities by arguing that any attempt to consolidate the prevailing 'performance assessment regime' ought to re-examine previous government initiatives that had in-built mechanisms for assessing local government performance. The prevailing system, despite its attempt to empower local authorities further promotes central government manipulation of local government administration. The paper concludes that performance assessment of local governments in Ghana will remain ineffective until local government councils genuinely serve local communities and their citizens by achieving goals and objectives that are consistent with the needs and aspirations of the latter rather than relying on annual performance assessments designed to ignore the opinions of citizens.

Keywords: Ghana, performance assessment, path dependency, decentralisation, districts

Introduction

Interest in the performance of public sector organisations has an enduring reputation in the disciplines of Public Administration and Public Management. Sufficient attention has thus been drawn to the potential role of performance management in modernising public organisations under public sector reform initiatives (Sotirakou and Zeppou 2006). Growing interests in the formulation and implementation of performance management policies in response to demands for accountability in developed countries has inspired developing and transitional countries to consider similar attempts to strengthen their own public organisations (OECD 1997;Sanderson 2001). In many jurisdictions, performance evaluation has become a standard framework designed to encourage goal-driven performance by tracking successes and or failures of organisational strategies and overall performance (Kaplan and Norton 1992; 2000).

However, considerable controversy over the determination of performance in the public sector has affected how the concept is understood, analysed and researched. There are many concerns about its ambiguity, multi-dimensionality and complexity, yet its popularity in contemporary public

management discourse suggests that organisational performance will remain contested and evolutionary due to the nature of the public sector (Bouckaert and Halligan 2008; de Bruijn 2002; Talbot 2010; Thomas 2006), as organisations in the public sector, including local government authorities, will continue to strive towards achieving multiple goals, many of which are vague, unstable, controversial and sometimes conflicting; creating room for multi-faceted and subjective interpretations of performance (Halligan *et al.* 2010).

For this reason, any systemic assessment of local government performance should broadly capture real and perceived concerns and interests of multiple stakeholders since any discussion of performance is susceptible to divergent and sometimes conflicting perspectives (de Bruijn 2002: 7; Thomas 2006). Acknowledging these concerns is crucial particularly when local government authorities seek to use performance management systems to fulfil widening gaps in the demand for effective service delivery. Conversely, a growing number of studies point to a paradox of performance, whereby organisations that promote development fail to utilise performance management systems as instruments for service improvement (de LancerJulnes and Holzer 2001;Lawton *et al*. 2000; Meyer 2002). Inspired by these assertions, this paper contributes to the on-going debate by looking at local government performance assessment interventions in Ghana and highlighting the importance of integrating citizens' opinions into performance assessments.

To accomplish this objective, the paper is structured as follows. The next section examines the context of local government performance and explores the theoretical literature on path dependency which is used to discuss the trajectory of local governments' performance assessment practices in Ghana. It then poses a rhetorical question to ascertain whether local government authorities are on the path towards performance improvement. The last section raises some practical concerns based on lessons from performance assessments, followed by a conclusion.

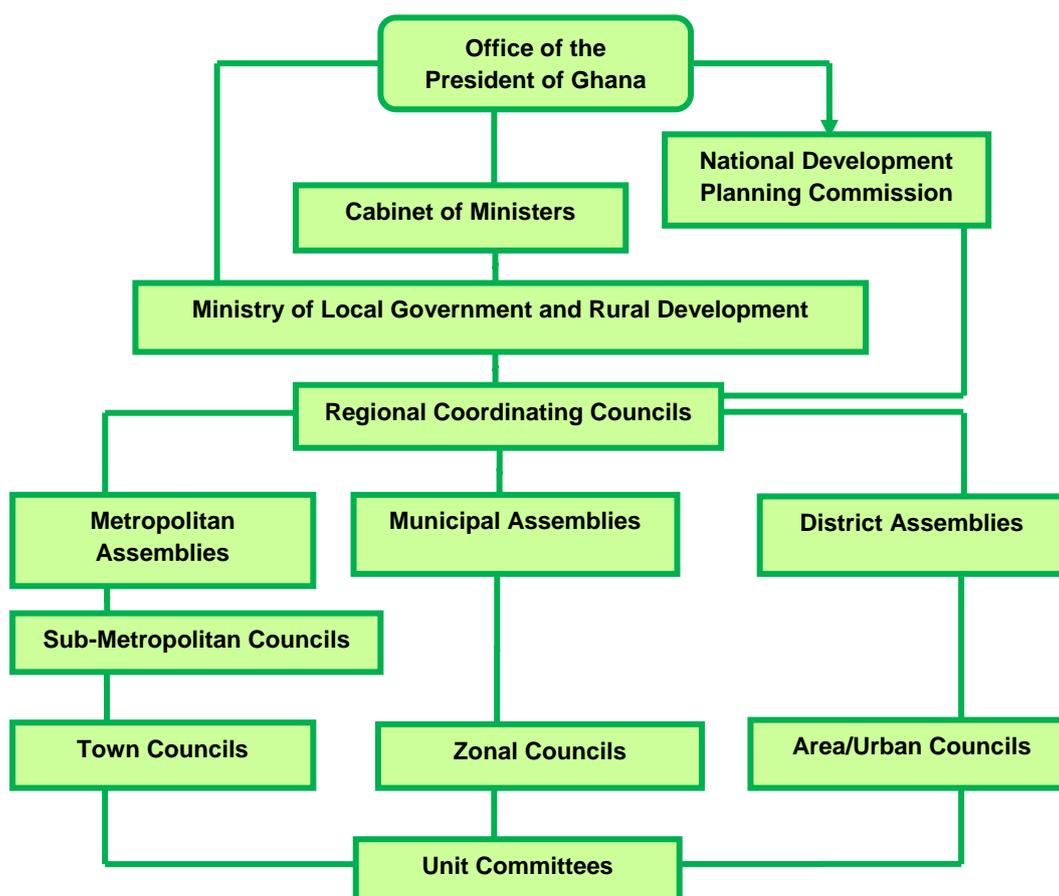## The context of local government performance in Ghana

In Ghana, previous attempts to facilitate organisational change aimed at entrusting power to people at the local level woefully failed to provide workable improvements to public administration (Songsore 2011;Ayee 1996). This did not however dissuade the military government of the Provisional National Defence Council (PNDC) (1981-1993) from promoting decentralisation as a strategy for improving government's response to public demands, promoting service delivery and empowering citizens to participate in decision making (Asante and Ayee 2008; Crook 1994). Although the current local government system owes its existence to the PNDC, some experts observed that decentralisation of power was a condition demanded by the World Bank and the IMF (Oquaye 1995). This condition served a dual purpose because its fulfilment was a prerequisite for the government to receive funds under the economic recovery programme during the 1980s and a means of mitigating legitimacy crises that characterise military regimes (Crook 1994; Ayee 1997). Political and economic

liberalisation became a key eligibility criterion used by western donors' to push African dictators, including JJ Rawlings, the chairman of the PNDC, on the path of 'good governance' in exchange for financial aid. Consequently, the military government increased the number of local governments from 65 to 110 to demonstrate its commitment to citizens' participation in governance. Rawlings declared that '*Ghana inherited a distorted concept of democracy which concentrated authority solely at the top so that each one of us, individually or collectively, owed everything to the politicians and bureaucrats in Accra. The time has come to give primacy to the local level in the evolution of democracy*' (Rawlings 1988).

During that period, certain powers and responsibilities were transferred from central government to lower levels of government including civil servants operating at the local level (Oquaye 1995). Economically, the economy of Ghana witnessed a turnaround from a decline towards growth, as a result of policy initiatives undertaken under the economic recovery and structural adjustment programme. Songsore (2011: 168) reports that real GDP grew at an average of 5% per year while the rate of inflation fell from 123% in 1983 to 40% in 1984 and further to 10% in 1985. Local government reforms, downsizing of the public sector and reduction in government expenditure contributed to these achievements but in retrospect, it is unclear why the PNDC military government naïvely considered the new decentralised local government system as an experiment without realising that it would later become the backbone of public administration in Ghana.

Local governments in Ghana are classified on the basis of population size as Metropolitan, Municipal and District Assemblies (MMDAs) even though structures that support local government administration at the sub-national level exist in three distinct vertical layers (Figure 1). The first level comprises Regional Coordinating Councils (RCCs) in each of the 10 administrative regions, entrusted with roles that affect local governance even though the regional administrations do not have the powers of local government authorities. At the sub-regional level, there are 6 Metropolitan Assemblies, 49 Municipal Assemblies and 161 District Assemblies. These Assemblies make up the second tier, and operate on the principle of decentralisation aimed at deepening participatory democracy; coordinating local economic development; addressing national poverty reduction objectives, and recently contributing towards the achievement of the Millennium Development Goals (Satterthwaite 2005; Alam and Koranteng 2011). Below the Assemblies are Sub-metropolitan Councils, Urban, Town and Zonal Councils and Unit Committees at the lowest level. Unfortunately, Unit Committees have lost their relevance, and do not exist in many jurisdictions (Songsore 2011). This has intensified calls for their abolition (Ahwoi 2010). For instance, during local level elections in 2010, there were supposed to be about 16,000 Unit Committees throughout the country but their formation and composition continue to be an enigma. The diagram below depicts the hierarchical structure of Ghana's local government system.

Figure 1: Structure of local government system in Ghana showing central-local relations (Source: author, 2013)

Despite concerns about the limited impact of sub national structures, interests in the performance of local government authorities continue to be driven by constitutional mandates that empower them to facilitate the country's development from a bottom-up perspective. Chapter 20, Article 240 of the *Constitution of Ghana* unequivocally states that *'Ghana shall have a system of local government and administration which shall, as far as practicable, be decentralised'*. This constitutional provision is reinforced by the local Government Act (Act 462) which further defines the powers, scope and functional responsibilities of Metropolitan, Municipal and District Assemblies, which must perform deliberative, legislative and executive functions, obliged to exercise political and administrative authority to provide guidance, give direction to, and supervise other administrative authorities to manage development in the district.

According to the *Local Government Act (Act 462),* 1993, Assemblies in Ghana:

   a) are responsible for the overall development of the district and shall, through the Regional Coordinating Council, ensure the preparation and submission for approval of:
       −   district development plans to the National Development Planning Commission, and
       −   the district budget for approved plans to the Minister responsible for Finance;
   b) shall formulate and execute plans, programmes and strategies for the effective mobilisation of the resources necessary for the overall development of the district;

c) shall promote and support productive activity and social development in the district and remove any obstacles to initiative and development;

d) shall initiate programmes for the development of basic infrastructure and provide municipal works and services in the district;

e) are responsible for the development, improvement and management of human settlements and the environment in the district;

f) are responsible for the maintenance of security and public safety in the district; and

g) shall ensure ready access to Courts in the district for the promotion of justice.

However, scholarly assessments of local government performance have presented mixed results. In two separate case studies, Crook (1994) and Ayee (1996) examined changes in administrative performance under the new dispensation of democratic decentralisation. Crook (1994) defined performance as output effectiveness, responsiveness and process acceptability, and found that development output increased marginally when democratic decentralisation was introduced in Ghana even though it failed to respond to citizen's demands. Ayee (1996) focused mainly on the government's core objectives of promoting participation, effectiveness and accountability found that local governance generated a sense of voluntarism as it encouraged a culture of 'self-help' which inspired residents of local communities to take charge of their own development particularly when local governments provided school buildings, electricity, water facilities and roads. After two decades of decentralisation, Ayee and Crooks' description of local government success remains relevant; especially when the performance of local government authorities continues to fall short of citizens' expectations despite the expansion of powers and resources for Assemblies to boost their performance.

There are numerous reasons why many citizens are not enthused about local government performance. At the heart of this discontent is the composition of local government councils. For example, 70% of Assembly Members (councillors) are elected by universal suffrage every four years with no affiliation to a political party, whilst the remaining 30% are appointed by the President. A Chief Executive (mayor) is then nominated by the President, who only assumes office after obtaining two-thirds majority votes of all the Assembly Members, present and voting (Ahwoi 2010). The nomination of Metropolitan, Municipal and District Chief Executives (mayors) by the President deprives citizens of the privilege of determining their leader, and this manipulative dominance of the centre over local governments is inimical to local democracy, transparency and accountability in local areas (Ayee and Dickovick 2010; Crook 1994). As political heads, Chief Executives may be influenced by partisan interests even though local governments are supposed to be non-partisan (Songsore 2011). Furthermore, the 30% of Assembly appointments awarded by the President, contrary to the original purpose of equipping local government authorities with skilled and

experienced people, are now used to reward political party loyalists without recourse to competence and professional experience (Ayee and Dickovick 2010).

Another reason why local government is considered unimpressive is the inability to provide essential services (Awortwi and Helmsing 2007). To address this problem, a District Assembly Common Fund (DACF) was established to provide financial resources to all local governments (Danquah *et al* 2013), from a pool fund originally set at 5% of total government budget until 2007 when it was increased to 7.5% (Figure 2). Fiscal transfers from the DACF are made to local governments in quarterly instalments to enable them carry out their planned activities. Nonetheless, significant obstacles remain.

Despite the increase in DACF disbursements depicted in Figure 2, local governments have not been able to mobilise sufficient Internally Generated Funds (IGF) to supplement those received from the DACF. There are reports that IGF ranges between 18-30% of local government revenue even in peak times (Ayee and Dickovick 2010; Osei-Akoto *et al*. 2007). Few if any local government authorities can survive

Figure 2: The DACF disbursement trend from 1994- 2012
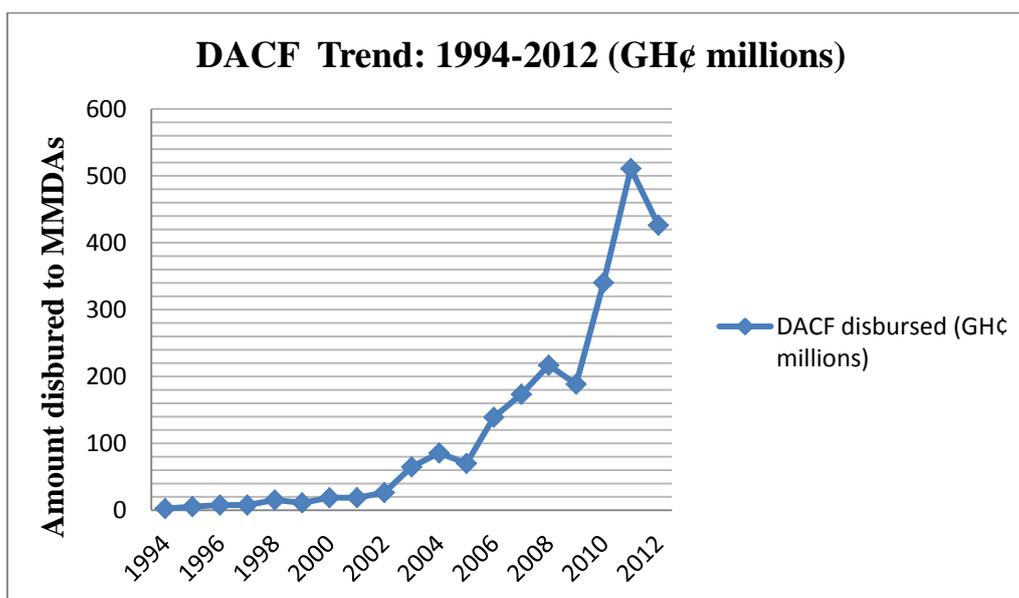
Source: Ministry of Local Government and Rural Development, 2012.

without the DACF because IGF revenue has no promise of making them financially self-sufficient. Many local governments, especially those in rural areas, lack sound economic and commercial tax bases, thereby limiting their sources of revenue.

Limited tax opportunities caused by narrow tax nets and ineffective revenue collection mechanisms raise questions as to whether the economic potential of local governments is sufficiently explored. The ineffectiveness of sub-district structures, especially urban, zonal and town councils also contributes to low revenue mobilisation. Even where sub-district structures carry out revenue

mobilisation roles delegated to them by parent Assemblies, serious leakages of cash into private pockets occur (Ahwoi 2010; Ayee and Dickovick 2010). It is therefore not surprising that the Auditor General's report, which is prepared annually to cover government ministries, departments and agencies for the Public Accounts' Committee of Parliament, has often raised queries about activities that border on dishonesty, financial mismanagement, or corruption and about the prevalence of administrative cultures that undermine the performance of local governments and development agendas. Apart from placing more emphasis on effective leadership and integrity which are crucial values for managing local governments, punitive measures against people and organisations who misappropriate funds meant for local government authorities leaves much to be desired.

Path dependency: a conceptual overview

Although path dependency as a concept emerged from literature on market-centred economics and sociology, organisational researchers have often borrowed it to examine the evolution of organisational systems. To Mahoney, *'path dependence characterises specifically historical sequences in which contingent events set into motion institutional patterns or event chains that have deterministic properties'* (Mahoney 2000: 507). In this study, path dependency is used metaphorically to analyse administrative practices that may have some historic significance. The underlying thesis of path dependency in organisations suggests that 'history matters', which implies that organisations are carriers of history (David, 1990) and that the essence of history is neither intermittent nor occasional, but remains significant at all times (Sygow & Schreyo 2009).

Path dependency is built on a number of underlying premises, e.g.: that the timing and sequencing of events matter in policy development; that similar conditions can produce a range of events, and that policy streams or social outcomes may result from relatively 'small' and sometimes unconnected events (Pierson 2000). It is believed that when certain initiatives are set in motion, it becomes difficult for them to be reversed, and that political developments, including policy initiatives are often punctuated by *critical moments or junctures* which tend to shape the contours of social life (Collier and Collier 1991; Pierson 2000). Nevertheless, there are several opinions on how policy initiatives in organisations are initiated, sustained and eventually become path dependent. Thelen (1999) for instance critiqued path-dependent adherents for failing to specify the mechanisms that translate critical junctures into lasting institutional legacies. To Peters *et al* (2005), normative institutionalism can explain how values might be sustained, even though such values might only be held by top level management without being shared across different hierarchies within an institution.

Mahoney (2000) observed that scholars have often studied two main strands of path dependent sequencing, self-reinforcing sequences and reactive sequences. *Self-reinforcing sequences* symbolise chains of events that systematically form and reproduce a long-term institutional pattern. It is believed that organisational actions including policy directives produce self-reinforcing sequences when they

exhibit what economists call 'increasing returns' (Pierson 2000) and 'positive feedback' (Thelen 1999) obtained through learning and continuous practice. Increasing returns implies that once an institutional practice is adopted, it is expected to deliver increasing benefits when it is uninterrupted. By implication, it becomes more difficult over time to transform the prevailing pattern or select other options even if these would have been more efficient (Pierson 2000; Mahoney 2000). To Thelen (1999), when political organisations find themselves on a particular path, the benefits anticipated by policy makers, interest groups, and other players increase while the costs of shifting to another alternative increases. She attributes path dependency to *institutional stickiness* in processing inputs into outputs, and *cognitive stickiness* to decision makers by suggesting that when external pressure is mounted on institutions to change, it may be too late for them to adjust particularly when major punctuations have already occurred. Transposing this argument to the Ghanaian context, it is suggested that decentralisation reforms initiated in 1988 showed signs of both 'institutional and cognitive stickiness' even though policy makers saw the reforms as an experiment rather than making evidence-based adjustments to produce an effective local government system.

Reactive sequences are described as chains of events that are temporarily but causally connected (Mahoney 2000). They are described as 'reactive' on the basis that each event within the sequence is both linked and reacts to previous events such that each step in the sequence is dually 'dependent' on previous and future steps. Analysis that focuses on this type of sequencing considers the final outcome in the chain of events as an important reference largely because the whole spectrum of events is considered as a path leading up to this end.

Another important contribution is the systematic analysis of Sydow and Koch (2009), who proposed three chronological steps for examining organisational path dependency that emphasises the reproduction of self-reinforcing dynamics. The authors suggest that singular historical events can set off self-reinforcing processes which could result in 'organisational lock-in'. Thus, all the three phases are governed by dependent causal linkages, but also exert different effects on organisational actions and decision making (Pierson 2000).

In Sydow and Koch's analysis, the first step known as the *pre-formation phase* consists of a repertoire of options that define plausible scopes of action. While Mahoney (2000:511) suggests that the effect of a choice of action when selected at this stage is uncertain, Sydow and Koch agree with Pierson (2000) that irrespective of the wide range of options in this phase, a policy choice may emerge from a small event that unintentionally sets off a self-reinforcing process. These noticeable moments or shifts that resonate in a self-reinforcing process are the critical junctures (Collier and Collier 1991) which indicate the end of the pre-formation phase.

The second phase, known as the *formation phase*, represents a stage where the pattern of dominant action eventually emerges and shows signs of irreversibility. With time, the scope of policy options

narrows, making it difficult to reverse the preferred choice. This signifies the evolution of a path. The last phase is referred to as the *lock-in phase*, and stands out as the stage where alternative options are further narrowed, eventually resulting in the institutionalisation of organisational norms, practices or policies. Thus practices, policies and values become fixed to a known path that is believed to be linked to an aspired goal. At this stage, one particular policy choice becomes predominant and flexibility can be severely compromised.

Collier and Collier (1991) highlight the reproduction of *institutional legacies* associated with critical junctures and the duration of such legacies. They compared how legacies were created and reproduced in Mexico and Brazil. By analysing labour relations, they showed how the Institutional Revolutionary Party; *Partido Revolucionario Institucional* (PRI), a left-wing party in Mexico, used state resources to establish its hegemony over labour at all levels, producing a legacy of labour relations based on patronage such that working class people who felt they owed their jobs to the PRI also felt responsible for sustaining that legacy. This form of labour inclusion directly contrasted with Brazil where labour relations were suppressive and intimidating; reproducing a legacy of labour alienation and exclusion. Some critical junctures produce stable regimes whereas others tend to be obstructive in nature (Collier and Collier 1991: 34).

As Thelen (1999) noted it is thus important for researchers to identify the factors (events and processes) that undermine legacies. In Collier and Collier's study (1991), the friendly space offered to labour in Mexico, even though it became poisoned with patronage, encourages acceptance and institutionalisation of government employment policy, contrary to Brazil where no such space gained the commitment of labour. Yet, even though the critical junctures literature has relevance for the analysis of policy evolution, timing, and chronology at national and supra-national (macro) levels, it tends to overlook local level factors that could be instrumental in sustaining legacies. By referring to the implementation of decentralisation reforms in Ghana, it can be argued that successive governments have responded differently to critical junctures. Central government has persistently used local governments to mobilise support for political gains rather than strengthening local government authorities to promote socioeconomic development. Despite the re-establishment of democratic and constitutional governance in 1992, central government still appoints Chief Executives (mayors) for local government authorities. This is a serious drawback because their unelected status weakens mechanisms for transparency and downward accountability which has severe repercussions for local government performance.

The trail of MMDA performance assessment: design or accident?

Two recent applications of path-dependent analysis in Ghana illuminate the evolution and punctuations in policy formulation that shape the structure of government machinery. One deals with civil service and central management agencies whilst the other focuses on decentralisation (Awortwi

2011; Ohemeng and Anebo 2012). Although the studies are laudable in navigating the historic path of public sector reforms in Ghana, they delved little into the performance of local government authorities − the gap this paper fills.

There is no doubt that local governance was given a new lease of life in 1988 when the new local government law, PNDCL 207 was passed. This was significant because intermittent political instabilities triggered by military coups had disabled the implementation of any meaningful public sector reform (Ayee, 1997). The promulgation of PNDCL 207 was followed by the demarcation of geographic boundaries that increased the number of local government authorities from 65 to 110. From 1982 when the PNDC government declared its vision of decentralisation in an 11-point decentralisation programme (Mohan 1996) to 1993 when the *Local Government Act (Act 462), 1993*, was enacted under the 1992 Constitution, there was still no holistic examination of the performance of local government authorities, despite their long existence. None of the possible methods of assessing the performance of local governments had ever been fully utilised. The Ministry of Local Government and Rural Development (MLGRD) and the National Development Planning Commission (NDPC) on behalf of central government only seek to monitor the formulation and implementation of local governments' Medium Term Development Plans (MTDPs) as a way of assessing performance. Regional Coordinating Councils (RCCs) have also monitored the planning processes of local governments for almost two decades, but the effectiveness of these evaluations on local government performance remains an open question.

Today, the normative practice of assessing local government performance is practically embedded in the relationship between the central government in Accra and local government authorities in the 10 regions of Ghana. The unequal nature of that relationship inevitably undermines the Assemblies' autonomy, given that their plans, programmes and projects must correspond with national development priorities set by central government, defined by the National Development Planning Commission which is part of the executive arm of government. As the agency responsible for advising the president on matters of development planning, policy and strategy, the NDPC is enjoined by the National Development Planning [Systems] Act, (1994) Act 480 to coordinate the performance of local government authorities. This legislation laid the path for implementing a nationwide decentralised planning system that is monitored at the regional level by the RCCs and coordinated and supervised at the centre by the NDPC.

Within the past two decades of the Commissions' existence, it has developed four different national development strategies each of which has attempted to achieve the same objective of development in Ghana. The first national development strategy under the current decentralisation system was the *Ghana Vision 2020*, which aimed to transform Ghana into a middle income country by the year 2020.

Unfortunately, it was truncated in 2001 when the NPP (New Patriotic Party) replaced the NDC (National Democratic Congress) after the 2000 election.

The replacement national development plan was the *Ghana Poverty Reduction Strategy (GPRS I)* published in 2003; its main goal was *'to ensure sustainable equitable growth, accelerated poverty reduction and the protection of the vulnerable and excluded within a decentralised, democratic environment'* (NDPC 2003:30). This was replaced in 2005 by the *Growth and Poverty Reduction Strategy* (GPRS II), which sought to accelerate economic growth and achieve the status of a middle-income country within the planning period. After the 2008 presidential and parliamentary elections, the NDC assumed office again, and formulated a new national development framework known as the *Ghana Shared Growth and Development Agenda* (GSGDA) to advance its 'better Ghana Agenda'. These 'agenda-setting' strategies are implemented by Ministries, Departments and Agencies (MDAs) at the national level, RCCs at the regional level and the Metropolitan, Municipal and District Assemblies at the local level, and thus the GSGDA (2010 to 2013) represents the first phase of a coordinated programme which:

> *forms the basis for the preparation of development plans and annual budgets at the sector and district levels throughout the country*(Government of Ghana 2010)

While central government considers nationwide implementation of the national development plan as a means of achieving government priorities, this encumbrance deprives local government of concentrating on local development challenges. The MMDAs' development plans and operational activities are expected to reflect the objectives of national development policy, and the 10 RCCs play a crucial role in making this happen. They monitor the utilisation of funds allocated to local government authorities by central government; review and co-ordinate public services and monitor, co-ordinate and evaluate the performance of local governments in the regions. These tasks are expected to be accomplished through regular and periodic visits to local government areas where on-going projects are monitored. However, nationally set targets have become difficult for local governments to meet because targets are broad, generic and macro in nature. Instead of taking the contexts of different local governments into consideration, the current GSGDA considers oil and gas exploration as one of its key focal areas although few local governments are endowed with oil and gas resources. In addition, while RCCs undertake performance monitoring of local governments such inspections often target physical infrastructure projects such as school building, health facilities, feeder roads, sanitation and electrification projects. This reduces the notion of development to the availability of physical infrastructure, but the RCCs seem to have no alternative in reviewing, harmonising and forwarding performance progress reports of all local governments in their regions to the NDPC.

While this practice is the institutionalised mechanism by which local government performance has been evaluated for two decades, it not evident that it has actually improved the performance of local

governments in Ghana. The effectiveness of monitoring and evaluating local governments' performance by the RCCs is constrained by persistent lack of funds for regular monitoring. Apart from depending entirely on central government transfers, the RCCs' lack of power to generate revenue coupled with the erratic and irregular grant disbursement further worsens their predicament.

What seems puzzling is the inability of the NDPC to differentiate _'star'_ performers from _'poor'_ performers although the RCCs have monitored local governments for two decades. Assuming the NDPC could make such a distinction, there is no incentive to motivate any hypothetical 'star' performers, nor would the NDPC be able to sanction local governments that performed poorly or flouted the NDPC's guidelines. In spite of increases in the volume and scope of financial resources available to local governments, most of them continued to perform their core functions rather unsatisfactorily (Crook 1994; Ayee 1997). A critical juncture was therefore reached in the mid-2000s which required politicians and policy makers to react to find alternative ways of assessing local government performance, which coincided with the period when the DACF, the largest grant to local governments, was increased from 5% to about 7.5% of total government revenue, leading donor agencies to lobby central government to demand value for money and exact accountability from local governments in the utilisation of funds.

Are local governments _en route_ to performance improvement?

In 2008, the Government of Ghana introduced an initiative to improve the performance of local governments, particularly with respect to efficiency, accountability, and the provision of basic essential services. Central to this initiative is a Performance Based Grant (PBG), known as the District Development Facility (DDF).

The DDF is a fund established by the Government of Ghana supported by the Canadian International Development Agency (CIDA), Danish International Development Agency (DANIDA), the German Development Bank (KFW) and the French Development Agency (AFD). The DDF makes funds available to local governments that comply with rules, regulations and policies linked to the performance of their mandates. This has become a vital source of additional funds for them to plan, undertake or implement development projects and programmes. However, Assemblies only receive funds from the DDF after their performance had been assessed by consultants to the Ministry of Local Government and Rural Development (MLGRD), using performance indicators embodied in a diagnostic instrument, the Functional Organisational Assessment Tool (FOAT). This tool also identifies capacity gaps that impede the Assemblies performance to justify why some local governments may need capacity-building support.

The assessment, is conducted annually, and is intended to ensure that local governments comply with existing legal and regulatory frameworks linked to the administration of their areas. As a result, the

evaluation criteria are largely driven by statutory obligations and functional responsibilities assigned to the Assemblies by the *Local Government Act (Act 462), 1993*, and other local governance statutes. Thus the performance indicators are derived from the core functions of local government authorities which capture a variety of internal organisational processes, but are less effective in monitoring service delivery (output/outcome) variables.

Meanwhile, the link between FOAT and the DDF is fundamental to understanding how the performance of local government authorities is assessed, and the basis on which financial reward is given. Since this mechanism was the first of its kind introduced to benchmark local government performance in Ghana, its implementation can be described as experimental. This has led to revisions of the formulae and key performance indicators to reflect current local government needs. The evaluation tool is structured around two sets of indicators classified as Minimum Conditions (MCs) and Performance Measures (PMs). In parallel, allocation of funds under the DDF is categorised into three components: a basic grant consisting of 20% of the total amount of funds in a given fiscal year, a 68% performance grant and a 12% capacity building grant.

In 2011, the Ministry of Local Government with the support of the World Bank used the existing assessment template to launch a new project known as the Local Government Capacity Support Project (LG-CSP). An Urban Development Grant (UDG) was introduced as part of this project to provide financial incentives to urban local governments based on their performance. The grant is intended to support local governments in urban areas deal with contemporary challenges of urbanisations including urban poverty and growing infrastructure needs.

During the annual assessments, local governments that obtain higher scores by fulfilling most of the minimum condition indicators and performance measures receive more financial reward than their counterparts. The minimum conditions involve a set of issues local governments must meet in order to access the basic grant under the DDF, which focus on:

- Development planning
- Financial management and accounting
- Public procurement
- Implementation capacity and
- The general functioning of the local government authority

Fulfilling the minimum conditions means that local governments must demonstrate:

- the existence of functional district planning and coordinating units;
- availability of financial statements and audit reports devoid of adverse comments, and the preparation of procurement plans (Government of Ghana 2012);

- that at least three General Assembly (council) meetings have been held within the year under review;

- the formulation of Medium Term Development Plans and annual action plans, and

- must submit progress reports that reflect the implementation of development plans to RCCs (for harmonisation).

Unlike the minimum conditions, performance measures are structured into nine thematic areas that local governments must fulfil in order to qualify for performance grants under the DDF. Apart from these performance indicators, Metropolitan and Municipal Assemblies are further assessed for the UDG using five main indicators. Each indicator is assigned a weighted value based on which performance scores are awarded during the assessment. Table 1 shows performance measures and maximum weight used in the FOAT and the urban development grant.

Table 1: Weights of performance measures in FOAT and UDG

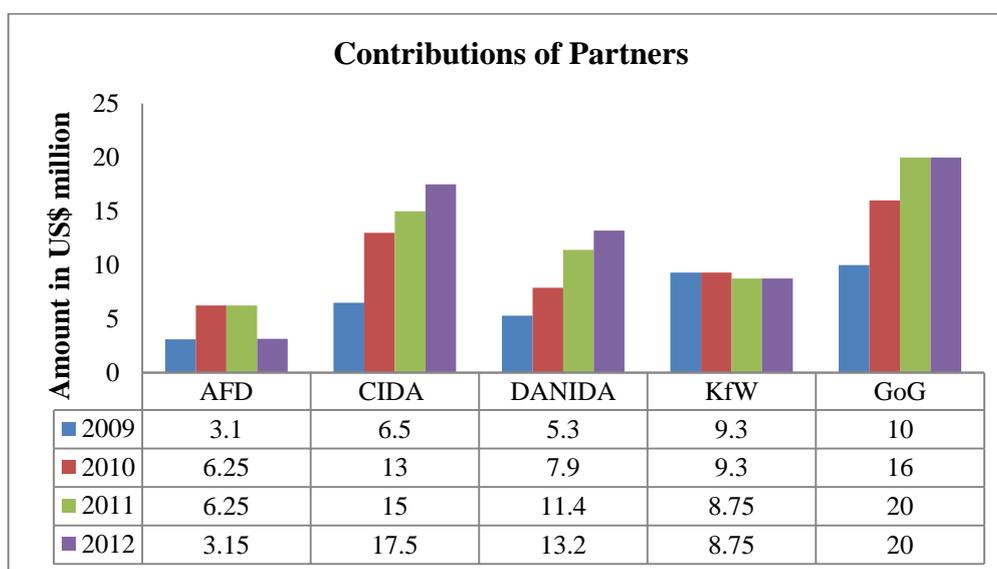|	Performance measures in the FOAT	Maximum score	Performance measures under UDG	Maximum score
1	Management and organisation	10	Budgeting	15
2	Transparency, openness and Accountability	12	Reporting and auditing	15
3	Planning system	16	Asset management	20
4	Human resource management	7	Revenue management	35
5	Relationship with sub-structures	6	Social accountability	15
6	Financial management and auditing	16	**Total**	**100**
7	Fiscal capacity	15		
8	Procurement	12		
9	Environmental sanitation management	6		
	Total	**100**		

Source: MLGRD: DDF Operational Manual (2012)

The table above categorises performance measures that qualify local governments for DDF funds and the UDG. While these measures highlight key areas upon which local governments are assessed to determine whether they qualify for performance-based grants, those that are unable to qualify are provided with a CBG (Capacity Building Grant) so 12% of the DDF fund is set aside as capacity-building grant payable to local governments that do not qualify for any of the other grants. Local governments that receive the capacity-building grant are required to train staff in specific areas that were identified during the assessment. The identification of capacity gaps is followed by training programmes proposed by the assessment teams to the Ministry of Local Government for approval. From these trainings, local s officials are expected to equip enhance their performance in subsequent assessments.

Perhaps to demonstrate its commitment and ownership of the local government performance assessment initiative, the Government of Ghana has been the highest contributor to DDF funds. However, it is quite obvious especially after the creation of new local government authorities that the

Government of Ghana would have faced serious implementation difficulties without the financial support and technical assistance of the four DDF development partners, and other donors may soon be contributing to the DDF. The quest to continue supporting the initiative can be traced to potential gains made by Assemblies that have benefited from the fund; for example, out of a total of 138 Assemblies that were evaluated in 2008, 50 of them fulfilled all the minimum conditions whilst 88 Assemblies failed. This means than majority of the Assemblies were only eligible for the CBG (12% of DDF); depriving them of the performance grant (68% of DDF) that could have been invested to improve infrastructure in local communities. Figure 3 below indicates scheduled contributions made by the Government of Ghana and development partners to the DDF so far.

Figure 3: Contributions to the DDF, 2009 - 2012

Contributions of Partners

	AFD	CIDA	DANIDA	KfW	GoG
■ 2009	3.1	6.5	5.3	9.3	10
■ 2010	6.25	13	7.9	9.3	16
■ 2011	6.25	15	11.4	8.75	20
■ 2012	3.15	17.5	13.2	8.75	20

Source (AfD, 2013).

After the first DDF funding round, local governments used the capacity building grant to train their staff, and in the second round only 37 local governments failed to fulfil the minimum conditions, despite the creation of 32 new districts. It is obvious that the DDF seeks to reduce local governments' over-dependence on what has become an overburdened and unpredictable DACF.

The additional funds received by local government authorities under the DDF vary, ranging from US$ 31.9 million disbursed in 2008; US$ 56.4 million in 2009; $44,495,300 in 2010; to US$ 135,564,800 in 2011 respectively. The most recent performance assessment was completed in the last quarter of 2012, and performance scores are yet to be published. Despite these assessments, there is still no database to affirm whether local governments have used the additional funds to improve service delivery. Furthermore, one wonders whether the regulations are not just another means by which central government uses bureaucratic procedures to control local government authorities rather than addressing the most pertinent interest of local governments which is serving local communities.

Missing links and forgotten factors: towards a people-centred approach

The paper highlights various initiatives by successive governments to promote local government performance. It is however obvious that none of these initiatives was created by local government authorities themselves. It is therefore not surprising that ordinary citizens in local communities, who are arguably more suitable to determine the performance of their local government councils, do not have a voice in assessing local governments' performance. However, would have thought that due to divergent perspectives of what constitutes organisational performance, a more balanced or multi-dimensional approach should have been adopted to embrace other key aspects of performance assessment.

This argument is laid on the foundation that citizens' perceptions form a crucial part in how governments perform. For many people, appreciating local government performance will depend on the extent to which political promises as well as pledges of development are fulfilled in terms of the quantity and quality of government output, and whether outcomes such as value for money and citizen satisfaction are guaranteed (Yang and Rho 2007), which has given impetus to the use of citizen surveys in assessing government performance (Behn 2003).

Measurement of satisfaction data provides feedback to government because the concerns of citizens can be used to hold governments accountable to the public (Wholey and Hatry 1992; Roch and Poister 2006). A notable example is the Afro-barometer which uses surveys to mobilise public opinion about government performance. Another commendable initiative is the district oversight committee concept that was introduced by the Governing Council of the Africa Peer Review Mechanism (GC-APRM) in Ghana. Members of these committees represent different interests groups who receive hands-on training to undertake satisfaction surveys. This helps them to elicit popular opinion about local government performance based on the four key themes of the APRM (Democracy and Good Political Governance; Economic Governance and Management; Corporate Governance and Socio-economic Development). Such surveys are capable of equipping local governments with information that clarify public aspirations and expectations which the former could use to sharpen their processes, policies and programmes to improve the quality of services (Howard 2010). Perceptions about citizen's satisfaction can serve as indicators for determining the publics' trust in government and can possibly be used as a proxy measure of good governance (Bouckaert and van de Walle 2003; Yang and Holzer 2006).

Conclusion

Clearly, the decentralised local government experiment that started two decades ago in Ghana has come to stay. Thus local government authorities will forever be expected to perform their constitutionally mandated tasks effectively and efficiently, but local government autonomy is

compromised by central-local government relations that continue to shape national policies and local agendas, leaving local government to fulfil dual objectives of satisfying both local communities and central government. In reality, the implementation of policies has been evolutionary, sometimes resulting in punctuations and critical junctures that call for ways of improving the system. The collaboration between the Government of Ghana and development partners to improve local government performance has sound objectives but raises questions over whether mechanisms are in place to maximise their developmental impact. Performance-based grants have significantly supported local governments in providing basic social infrastructure and building the capacity of local government employees to enhance their performance. Yet, from a path-dependent perspective, the performance of local government authorities did not take centre stage at the onset of local government reforms because the government was interested in meeting conditions for donor assistance rather than building and strengthening local institutions. For this reason, assessing the performance of local government in a systemic manner seems to have been an afterthought that focuses on administrative procedures rather than the core business of serving local communities. Even though central-local government interactions promote some performance monitoring of local government authorities, the practice whereby Regional Coordinating Councils collate and forward local government plans and performance reviews to the centre leaves much to be desired. It is unclear why the experimental attitude towards local government reforms neither embedded nor institutionalised citizen-led performance assessment into the new local government system.

We concur that fixing institutional fault lines in the operation of local government authorities is a potential entry-point in order to identify alternatives that might improve the developmental role of sub national governments (de Visser 2009). Whilst the existence of fault lines may not imply that a particular policy initiative is inherently ineffective, analysing them could help to address operational bottlenecks that inhibit the success of development policies, which is crucial in Ghana where local government performance is a priority amongst ordinary people, donor agencies and central government. A balanced and consensual approach in the assessment of local government performance is important. Des and Robinson (1984) suggests that for organisational performance to be clarified and made easier, performance assessment mechanisms must create consensus amongst relevant stakeholders over what performance entails. This suggestion is however not easy to implement because the scope of local government performance is broad and embroiled in serious political discourses that makes it difficult to agree on what performance entails (Brewer and Selden 2000). To Boyne (2002), judging local government performance in terms of outputs, efficiency, effectiveness, responsiveness, or other democratic outcomes would be driven by the interests of whoever is evaluating performance, reinforcing the subjectivity in how performance is sometimes perceived. Hence, portraying local government performance assessments in Ghana as an objective process may be illusive especially when it fails to integrate citizens' opinions.

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Capacity building in a hostile environment:
The Case of Zimbabwe's Rural District Councils

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Abstract

The paper examines capacity building in Zimbabwe's Rural District Councils (RDCs) from 1994 to 2001 and the resultant erosion of capacity during Zimbabwe's protracted political and economic crisis that followed. It is prudent to ask whether there was 'capacity building' or 'capacity erosion'. The paper establishes that the capacity building was piecemeal and that there was no genuine desire to build capacity, but that Councils embarked on these programmes to access the funding that came with the programmes.

In some cases, the design of the Rural District Councils' Capacity Building Programme (RDCCBP) was too rigid, derailed by the central government's half-hearted attempts towards decentralisation, and failed to allow RDCs to learn-by-doing*. Because of Zimbabwe's politico-economic crisis, national level politicians were peremptory in their demands for better RDC results and an opportunity to learn was lost. The plethora of other rural development projects coupled with the project-based approach of the RDCCBP condemned capacity building efforts to the rigidities of projects and programmes, yet capacity building is better perceived as a continuous process with experiential learning. The paper concludes by arguing that capacity building efforts in RDCs were largely unsuccessful, and were derailed by the 'Zimbabwe crisis'; the result can only be described as 'capacity building that never was'. Internal efforts by RDCs to build their own capacity are more sustainable than efforts prompted by the 'carrot and stick' approach of external actors, such as central government (in a bid to 'hive off' responsibilities) and funding agencies.*

Key words: Rural District Council, capacity building, learning-by-doing, Zimbabwe.

Introduction

Local governments should have adequate resources – financial, human, and infrastructure – proportionate to their legislative mandates. Capacity building (CB) has been deployed to remedy deficits in resources. CB is thus a *sine qua non* condition for sustainable development. CB is not just about training people or strengthening organisations but also requires engagement with complex and rather intangible aspects of governance such as norms, values, political culture, social capital and incentives for change (ECDPM, 2003).

In view of the political and economic crisis that gripped Zimbabwe (from 1999) during the implementation of the Rural District Councils' Capacity Building Programme RDCCBP, this paper is a critical reflection that examines the (RDCCBP). This can be described as 'capacity building that never was'. The gains of the programme were eroded by the protracted political-economic crisis in Zimbabwe. The RDCCBP was too rigid, derailed by the central government's half-hearted attempts towards decentralisation, and failed to allow RDCs to *learn-by-doing*. Because of Zimbabwe's politico-economic crisis, national level politicians were peremptory in their demands for better RDC results and an opportunity to learn was lost. The study of CB in Zimbabwe helps to enhance institutional memory for the benefit of the various institutions and the wider public. Zimbabwe also provides a significant example tool for other developing countries who may find themselves in a similar situation, and for the donor community in developing countries.

The paper sketches the theoretical contours of capacity through the lenses of Zimbabwe's RDCs and acknowledges that Zimbabwe has a history and development trajectory that fits a number of countries. There are many constraints to capacity building – broadly classified as exogenous and endogenous. Exogenous factors were external to the RDCs, and included, for example, the significant effects of amalgamation, and political and economic decline. Endogenous factors were those inherent in the RDCCBP design, for example, treating RDCs as homogenous entities and expecting numerous projects to be implemented at the same time. This paper will focus on constraints that arose as a result of the political-economic crisis. The paper proffers lessons of experience for international development and cooperation.

Theoretical overview of capacity building

CB means different things to different people. For purposes of this paper, CB is taken to mean a 'conscious' effort to strengthen and improve the abilities of staff members and organisations to perform tasks in a more efficient, effective and sustainable manner (Peltenburg 1996: 9). Honadle (1981: 577) defined CB as the ability of people and institutions to do what was required of them. She also noted the drawback of this definition as it fails to define what is to be built. Others view CB as referring to improvements in the ability of public sector organisations, either singly or in co-operation with other agencies, to perform appropriate tasks defined by necessity, history or situation (Grindle and Hilderbrand 1995: 445). In the case of the Rural District Councils (RDCs) in Zimbabwe, appropriate tasks also refers to legislative mandates – ie: the duties and responsibilities imposed by the RDC Act (Chapter 29: 13) (GoZ 1988).

CB has been at the centre of development efforts for the last six decades. Pieterse (2002: 1) argued that this was fuelled by similar international discourses that valorise the local as a site of strategic defence against powerful globalising currents and as the frontline in the war against poverty. Within the realm of economic development, CB also received renewed interest because of the experiences of

policy prescriptions under structural adjustment in the 1980s. In 'rolling back the state', Lemon (2002: 21) observed that central governments passed on the cost of providing public goods and services to local government without sufficient adjustments of either state fiscal transfers to local levels or the revenue raising powers of local government.

Honadle (2001: 81) contended that the concept of institutional capacity was not static. She contrasted it with physical capacity in the sense of being able to measure the potential of a vessel to hold a defined amount of liquid, or a computer to store so many bits of data. Institutional capacity changes over time and space, as Zimbabwe illustrates clearly.

With Zimbabwe's decay, the notion that capacity is neither constant nor static is reinforced. Furthermore, the idea of a 'learning curve', automatically makes capacity a moving target (Honadle 2001: 81).

Land (2000), Kaplan (1999, 2001 and 2003) and Postma (2003: 81) argue that CB is a slippery and elusive concept, which remains rather obscure and used interchangeably with similar concepts such as 'institution building', 'capacity development' and 'institutional development'. GTZ (1999: 3) advised that CB must take place on three levels: individual; institutional and organisational; and the overall institutional system level (legal, political, economic and administrative frameworks).

Peltenburg (1996: 9); Olowu (1998:1) and Grindle (1997: 5) viewed capacity, as the ability to perform appropriate tasks and fulfil roles effectively, efficiently and sustainably.

Franks (1999: 52) argued that capacity was defined as the overall ability of the individual/group to perform their responsibilities. He went on to highlight that it was possible to imagine an organisation that had a capable staff, yet did not have the capacity to perform its functions because it was either grossly understaffed or because the policy framework did not allow satisfactory performance. Grindle and Hilderbrand (1995: 443) concurred and noted that organisations and trained individuals do not perform in a vacuum, and that their ability to carry out assigned responsibilities is a function of the broader context within which they operate. Capacity depends on the presence of viable institutions, leadership and vision, financial and material resources, skilled human resources, and effective work practices – systems, procedures and appropriate incentives (ECDPM, 1998). Land (2000) argues that capacity deficits or weaknesses in local government could rarely be attributed to a single cause.

Dimensions of capacity

Grindle (1997) put forward five dimensions of capacity.[21] These dimensions discuss capacity with regards to central government departments and ministries. Kaplan (1999 and 2003) argued that

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[21]The five dimensions are: the action environment; the institutional context; the task network; the organisation; and the human resources. aspect. For purposes of this paper, these are not further explored.

'features of organisational life' (ie: context and conceptual framework; vision; strategy; culture; structure; skills; and material resources) incorporate a panorama of factors that affect the ability of organisations to achieve specified goals. The dimensions are interactive and dynamic and hence Kaplan's framework is more useful.

Land (2000: 3) observed that increasingly it was accepted that CB programmes were more successful and were more likely to be sustainable when they responded to an internal initiative, and when they were supported through a process approach, and not through single one-time events. Issues of ownership, commitment and leadership are central to this notion of capacity as a process. Kaplan (1999: 22 and 2003: 323) advised that:

> *While every organisation may share similar features, nevertheless, each organisation is unique both in itself and in terms of its stage of development and this uniqueness demands unique, singular and specifically different responses. While the model may adequately describe the elements of organisational capacity and even order of their acquisition, it cannot predict or determine organisational processes, which are complex, ambiguous and often contradictory'.*

Indeed in some countries, performance problems diagnosed at the organisational or individual level may be deeply embedded in economic, social and political deficiencies, and efforts to improve performance must focus primarily on these conditions. On a cautionary note, Grindle and Hilderbrand (1995) highlighted that while the importance of the broader contextual setting for organisational and individual activities may seem obvious, a large number of CB initiatives were designed without considering this.

Grindle (1997: 6) prefers the terms *capacity development* or *capacity strengthening* to signal that the task was one of strengthening existing capacity rather than constructing mew capacity. Morgan (1997: iii) noted that CB could refer to either *processes* or *outcomes*, meaning both efforts to improve organisational performance and/or improvements to practices developed. CB is not an end in itself but a means to an end.

The CB approach thus has two components – the *demand side* and *supply side*. The demand side consists of the organisation(s) and the staff whose capacities need to be strengthened, while the supply side encompasses all organisations undertaking efforts to build capacity (Peltenburg 1996: 11).

Key constraints to effective CB

The road to CB (especially for local governments) is winding − Postma (2003: 81) compared it to a river which meandered with the contours of the topography. Institutional weaknesses are rarely merely technical problems: as Corkery *et al* (1998: 543) argued they generally reflect systemic problems related to politics and culture, as well as management capacity and performance, and thus it is critical to analyse why weaknesses exist, as administrative capacities cannot be strengthened unless the political, social, economic and cultural contexts are understood. A number of problems or

limitations could be encountered. These could include lack of vision, political interference, organisation and human resources development problems (Peltenburg 1996: 13).

Peltenburg (1996: 13) argued that, in highly politicised environments, the planning and/or implementation of CB interventions may be affected. On donor funded projects, there may be political interests on both donor and receiving sides geared to short-term gains.

Teskey and Hooper (1999: 7) advanced the notion that there was insufficient incentive to build capacity at the political level. They believed that politicians would naturally tend to support programmes which increase their electoral popularity, eg: building schools, laying roads, providing drugs to health centres, because politicians needed to be re-elected every five years so gain more electoral support for policies which yield short-term results.

Olowu (1998: 10) argued that the erosion of public servants' salaries in Africa over the years has resulted in a depressed incentive system[22], with the 'take home'[23] of many officials barely sufficient for one week's existence. Thus civil servants seek to hold more than one income-earning activity or job, thereby reducing commitment to the main one. At the same time remuneration for skilled contract staff is high which dampens the morale of low-paid public servants.

The Zimbabwe crisis

Since 1999, Zimbabwe has gone through a very rough period, both politically and economically, The 'Zimbabwe crisis' has been well documented and affected all spheres of life for many Zimbabweans. Bond and Manyanya (2003) discussed 'Zimbabwe's plunge' at great length, tracking the country's economic development from pre-independence to the crisis period since 1999. In discussing 'Zimbabwe's unfinished business', Hammar *et al.* (2003) also chronicled the background to the economic development downturns and the socio-political meltdown (see also Nhema, 2002; Sachikonye, 2002 and 2011). The political crisis triggered related crises – food security, a fuel crisis, and the rule of law, − which escalated to such unprecedented levels that service delivery dropped into the abyss. Zimbabwe's local authorities were reeling as they failed to deliver essential services; infrastructure broke down, qualified and experienced personnel absconded in large numbers − joining the private sector or emigrating to the diaspora. Some areas went on for long periods without essential services, and doctors and industrial workers were on strike (Musekiwa *et al,* 2013; NewZimbabwe 2009). Meanwhile the Zimbabwean dollar entered into a state of hyperinflation – Kadzere (2008); Jongwe (2008) and BBC (2008) cited the inflation rate at 231 million per cent. This high inflation rate culminated in a *de facto* abandonment of the currency and replacement with the US dollar made official in early 2009.

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[22]Mentz (1997) talked of a civil service demoralized, underpaid, bloated and thriving on venal activities – instead of wages.
[23]As seen in many posters in the RDCs visited – 'my take home is not enough to take me home.'

Since 2000, elected members in the RDCs were no longer the preserve of Zimbabwe African National Union – Patriotic Front (ZANU-PF) and were increasingly being dominated by the opposition Movement for Democratic Change (MDC). In 2008, an attempt to end the crisis, a power-sharing agreement between the rival political leaders – Robert Mugabe, Morgan Tsvangirayi and Arthur Mutambara was brokered by former South African President Thabo Mbeki. The Global Political Agreement (GPA) and its attendant but somewhat shaky Government of National Unity (GNU) provided a transition to normalcy and managed to stabilise the country.

Hammar *et al* (2003: 39) argued that *'the reality for many RDCs was that they were assuming their authority at a moment of national economic decline, reduction in public sector spending and growing popular discontent with the government in general'.* Over time, there was increasing pressure on the RDCs to generate local revenue for their own administration and local development activities, placing severe strains on them and in some cases bringing them into direct and often outright competition and conflict with their constituents. There was also growing unease about the question of authority itself, and local political tensions mushroomed as ZANU-PF's hegemony waned and it feared losing its grip on long dominated RDCs.

Essentially, the RDCCBP did not manage to build the capacity of RDCs to plan and manage their own development programmes on a sustainable basis because the Government of Zimbabwe (GoZ) ignored some critical elements of CB. In line with ECDPM (2003: 1) it can be argued that:

> *Development cannot be achieved by throwing money, projects and external know-how at problems. It is the product of each country's historical and cultural circumstances and involves fundamental societal transformation.*

Grindle and Hilderbrand (1995: 443) similarly observed that a large number of CB activities had produced meagre results and that the investment had not paid off in terms of improved organisational and individual performance. The work on which this paper is based set out to test the hypothesis that capacity building efforts need to deal with these intangible complex issues, such as norms, values, political and organisational culture, social capital and incentives for change.

Methodology

There are 60 RDCs in Zimbabwe, and the study sampled eight RDCs from four (of the eight) provinces: Mashonaland Central, Manicaland, Midlands and Matebeleland South for a good geographical representation.[24] The study examined one suspended council, or so-called *laggard*, in each province and one of those said to be doing well (*progressive*).[25] It also considered the amalgamation mix in 1993 (i.e. how many Rural Councils and District Councils amalgamated to

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[24]This paper draws from a doctoral research that examined critically the performance of rural local authorities in Zimbabwe over a period of ten years (from 1993 to 2003). The performance of local authorities had been progressively declining. Money, equipment and other resources were made available through the Rural District Councils Capacity Building Programme (RDCCBP) and other donor-funded programmes to salvage the RDCs, but the downward trend still persisted. Was there a willingness to build lasting capacity or it was being driven by donor conditionality?

[25]Councillors were suspended by the MLGNH. The 'progressive' ones were also appraised by the same ministry.

make up the RDC) and political history and affiliation (pro- or anti- ZANU-PF) (Mandiyanike, 2009). The research included semi-structured face to face interviews with key informants - local government practitioners (chief executive officers, a permanent secretary, council chairpersons, RDC heads of departments, and District Administrators), and examination of official records and documentation. Primary data included field study observations and reflections on personal experiences of key informants[26]. Anecdotal evidence was also drawn from the author's experience as a local government practitioner.

An overview of local government in Zimbabwe

Zimbabwe is a unitary state with three major levels of governance – central, provincial and local government.[27] Local government is split into two – Urban Councils established under the Urban Councils' Act (Chapter 29: 15) 1995 (as amended), and rural/farming areas established under the Rural District Councils Act (Chapter 29:13) 1988. The discussion will focus on RDCs. Mutizwa-Mangiza (1991) and Mandiyanike (2013) contend that until independence in 1980, local government in Zimbabwe was divided racially, based on the principle of 'separate development', a Rhodesian[28] formulation of apartheid. Rural Councils were relatively autonomous, and catered for white settlers in commercial farming areas. The small non-viable District Councils were primarily instruments of administering the subject race in the villages. This arrangement existed for almost five decades and in 1993, these Local Government Units (LGUs) were amalgamated to form Rural District Councils (Mandiyanike, 2009). In 1993, government removed the District Administrator (DA) from being the Chief Executive Officer of the District Council[29]. The DA remained an influential advisor to council, implementer, government regulator, and monitor. Amalgamation was a political decision meant to remove one of the last vestiges of colonial rule – the de-racialisation of local government – which took place under the Rural District Councils Act No.8, passed in 1988 but not implemented until July 1993 (Matyszak, 2010). The transition to the new dispensation was fraught with resistance from the respective contenders and haggling among members of staff. The five-year delay in effecting the provisions of the RDC Act was testimony to the complexity of the exercise that sought to unify two very different institutions at different levels of sophistication, intended for different purposes (Mandiyanike, 2009). In addition, traditional Chiefs played an increasingly partisan role as allies of ZANU-PF during the crisis, although their official role is administered by a separate Act (Traditional Leaders' Act) and beyond the purview of this paper.

Following the amalgamation of Rural and District Councils in 1993, the GoZ, with external assistance, sought to improve the operations of RDCs. The justification given for the CB programmes was that RDC lacked the skills and resources to shoulder these added responsibilities. The challenge

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[26] See Mandiyanike 2009 for a detailed methodological discussion

[27] There has been a tendency to mix national/sub-national levels of governance with central/local government. In Zimbabwe, the Provincial Councils Act (Chapter 29:11) significantly changed the misnomer of 'two levels of governance'.

[28] Rhodesia – colonial name for Zimbabwe

[29] The Rural District Councils had to employ their own Chief Executive Officers.

to the GoZ was thus to tailor CB of RDCs with access to resources. In turn, these efforts at the local level, would feed into national consensus building so that the transfer of central responsibilities and resources would lead to more equitable and sustained development.

Prior to the implementation of the CB programme, the *Strategic Plan for Capacity Building* (Plan Afric, 1994: 6) acknowledged that the process of building the capacity of the RDCs was complex and long-term, and that t RDCs were at different starting points in a fluid and challenging environment.

The Strategic Plan (Plan Afric, 1994: 20) warned that there was nothing more damaging to the morale of the RDCs than to give them new responsibilities without the means to perform them., The objective of the RDCCB programme was to develop the capacity of all RDCs to plan, implement and manage their own District Development Programmes and delivery of essential services, within the government's overall decentralisation programme. The RDCCB programme had three components: institutional development, capital development and human resources development (HRD).

Rural local government in Zimbabwe – during the crisis

The outcome reflects the systemic nature of the problems faced and the superficial changes made by RDCs and other actors in addressing the problems highlighted.

Decentralisation-centralisation nexus

With regard to decentralisation, government officials were skating around the debate. The Ministry of Local Government and National Housing (MLGNH) expounded 13 principles on decentralisation as a roadmap on the way forward. However, it was oversimplistic to assume that ministries and departments would release responsibilities to RDCs or be directed by RDCs. When the Economic Structural Adjustment Programme (ESAP) was introduced in 1991, most civil servants were set for retrenchment, which they went to great lengths to resist. Parties to the decentralisation initiative glorified it by day and savagely resisted it by night. MLGNH as the parent ministry for local authorities and was seen as becoming 'the mother of all ministries' and decentralisation became a 'talk show' rather than a genuine attempt to improve service delivery. GoZ *Hansard*, volume 27 (63): 6687 of 8 May 2001, conceded that *'whilst the government has a sound decentralisation policy, the implementation aspect leaves a lot to be desired'*.

Thus attempts at decentralisation were half-hearted, which rather than 'premature decentralisation', can instead be seen as *pseudo*-decentralisation. This bureau-pathology and a murky legislative framework, resulted in too much ministerial control and duplication of institutions and authorities, which impacted negatively on RDCs. Several papers, including an address by the permanent secretary in the MLGNH, identified two hundred cases where the MLGNH could intervene in RDC activities without hindrance. We are yet to see the changes brought about by the new constitution.

Coming to grips with amalgamation

There are issues that the authorities and RDCs seemed to ignore, namely influential people and the political environment. For example, MLGNH has default powers to suspend RDCs and councillors (as will be discussed in detail hereunder). Indicators used for suspension were skewed and subject to the whims of the powers that-be through the wanton use of the default power.

Amalgamation was a surgical process that conjoined two distinct bodies, and deep-seated problems inherited at amalgamation were either underestimated, or simply ignored. The most discernible problems were divided loyalties on the part of staff, different working and cultural practices, party affiliation and, most significantly, divergent educational and economic circumstances. At amalgamation, members of staff were the 'eyes and ears' of their councillors from former councils. This evoked a strong sense of patron-clientelism and cliques/fiefs as councillors hoped to get the truth from their 'own employees'.[30] Before amalgamation, many Rural Council councillors had relatively informal ways of conducting council business, for example with resolutions agreed at the country club, and consultations with commercial farmers. In many cases, council officials were not privy to these discussions but acted on the decisions. At amalgamation, the District councillors were used to formal minuted decisions that authorised action. The councillors were cautious in 'covering their backs'. Councillors from the former Rural Councils were irked by this 'red tape' but were met with hostility from their District Council counterparts. Council debates following amalgamation often discussed procedural issues rather than substantive developmental issues.

There were also differences in the educational and economic circumstances of the councillors. There is a general superiority or inferiority complex in Zimbabwe, based on a person's fluency in English. Many councillors from the former District Councils were peasant farmers and spoke little English. Whilst the white councillors from the former Rural councils were often no better educated, they could speak English fluently and occupied large tracts of land (a clear symbol of wealth). Economically, most councillors from the former Rural Councils were commercial farmers and relatively well off, whilst the district councillors were peasant farmers and/or teachers or civil servants. Collapsing or these wide divergences was almost impossible. One former District Administrator (DA) remarked, *'amalgamation was nothing but putting unit tax into the same pot [as the rural resources]'.*

Staffing levels within RDCs

Most RDCs lost a lot of qualified staff during the political and economic crisis[31]. In Gokwe RDC, war veterans[32] 'dismissed' some officials and forcibly removed them from office. Officials from Gokwe RDC and McGregor (2002) gave detailed accounts of how the forced removals were effected with

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[30]In Guruve council in 1994, councillors from amalgamating Mvurwi rural council demanded the presence of a particular roads supervisor in meetings, whom they constantly asked whether what other officers said (from Guruve council) was true.
[31] See Mandiyanike (2013) for an analysis of staff turnover during this period
[32] Ostensibly former combatants of the 1970s guerrilla war who formed the Zimbabwe National Liberation War Veterans Association (ZNLWVA) after independence, which led the invasions of commercial farms during the crisis

impunity. In these debacles, no handover- was conducted and the war veterans took files with them for 'investigation' and /or 'archiving'. These files have never been recovered, nor was anyone brought to book about these disappearances (Mandiyanike, 2009). War veterans disrupted operations in some RDCs for purely political ends to punish political opponents. In Gokwe South RDC war veterans went on to demand a quota for all council positions, and travel/subsistence allowances for coming to council. It seems that once people have tasted violence, the tendency to use it again for whatever purpose cannot be undermined or ruled out.

Homogeneity-heterogeneity divide

The RDCCBP treated all the RDCs as homogeneous entities, irrespective of their different socio-political and geophysical conditions. In spite of the common legal framework, RDCs differ quite significantly and have to be treated as such. It is worth noting that during the formative stages of RDCCBP, the Strategic Plan for Capacity Building (1994) acknowledged that CB of RDCs was complex and long-term, and that RDCs were at different starting points and had varied resource bases. The *Strategic Plan for Capacity Building* (Plan Afric, 1994 6) cautioned that:

> *Capacity building should not be constrained with a rigid framework. There is need for a flexible approach, which takes into account the different starting points of the RDCs and allows for the maximum participation of the various interested parties especially RDCs themselves.*

Smoke (2000: 3) complained that decentralisation programmes tend to treat all local governments as if they were similar in capacity and needs, and to devolve too many new responsibilities to the weak local governments. With the Economic Structural Adjustment Programme (ESAP) gnawing at the roots of central government operations in Zimbabwe, there were strong calls for change in local government, and RDCCBP was considered a palliative measure to reduce the increased pressure on RDCs. Within this environment, Smoke (2000) cautioned that there was a perceived urgency to reform, so careful planning was foregone. As one facilitator aptly summed it up, 'there was so much movement but no motion'. Smoke (2000: 3) advised that:

> *It is necessary to build commitment and capacity for local governments to assume greater responsibility on behalf of their constituents ...decentralisation reforms should be progressively phased in with incentives such that it is clear to local governments what they have to achieve before they will be assigned additional responsibilities.*

Furthermore, due to the crisis, a significant amount of donor support was abruptly withdrawn from government activities. In winding up the initial phase of RDCCBP in 2000, 19 RDCs were to be given continued support, but the government stayed with the 'good' councils and ignored the 'bad' ones. Possibly, this was a subjective justification to show the donor community that the MLGNH was willing to run with the donor agenda. Thus, the ministry, through the hawk eye of the Provincial Administrator (PA), looked at 'good' Chief Executive Officers (CEOs), chairpersons, finance committees '*dzine chimiro*' (decent finance committees) or a combination of these, considering councillors' performance, commitment, and the openness to change of CEOs and key staff.

Project planning and management – RDCs biting off more than they could chew

All the RDCs prepared the strategic plan following insistence by the RDCCBP that these were essential to qualify for District Development Grants (DDGs) and District Development Loans (DDLs) (the DDG manual stipulated that only projects on the strategic plan would be considered for funding). On a visit to the sampled RDCs, it was amazing to see how quickly these plans could be pulled out to show a prospective funder. However, one respondent lamented that:

> *It is a pity that we spend so much time and effort producing these documents, but there is no commitment in following them. The macro-economic environment we are operating in makes it impossible to operationalise such wishful activities.*

The GoZ, for its own political expedience, even introduced programmes such as the Rural Development Fund (to be implemented by RDCs) that ran parallel to the RDCCBP. A majority of the RDCs are members of Communal Areas Management Programme for Indigenous Resources (CAMPFIRE) Association, which also had the Natural Resources Management Programme (NRMP II) running the same time as RDCCBP. As one interviewee said,

> *RDCs had too much on their plates and could not make the most out of this window of opportunity. An opportunity to maximise the learning was lost.*

The resulting plethora of rural development projects managed by the RDCs had different reporting and implementing requirements. Instead of improving their performance, RDCs were busy 'visiting' the different funding agencies and trying to impress them. As political pressure intensified, RDCs focussed their attention on irrelevant but politically sensitive projects to appease politicians. Sadly, this was done at the expense of much-needed services for deprived communities.

Two officers at Umzingwane RDC, in a joint interview admitted that

> *We use these development plans to suit the various donor preferences; if another donor were to come and indicate the type of projects they prefer to fund we would go along with that.*

During RDCCBP, the training component commenced late, was uncoordinated and the District Training Teams and Provincial Training Teams were not sufficiently functional. The funding came to an abrupt end before the RDCs realised it. Thus Healy (2001: 310) observed that training in the RDCs was seen as a series of events − workshops, seminars and study visits − rather than a process of developing knowledge and skills of RDC employees to meet changing circumstances. Inevitably, people would engage in workshops as a substitute for work and also for the attendant *per diem*. In a similar vein, one government official argued that:

> *Due to budgetary constraints, some sector ministries were willing to co-operate with the RDC if it provided the requisite material, chiefly, travel and subsistence allowance and transport. ...... Approaches and procedures of various programmes gave rise to some confusion within project departments (of RDCs); support to RDC development is very often dependent on whether incentives like subsistence allowance are provided and (that) sector ministry staff were still hiding behind arguments that their key result areas took precedence over RDC business.*

Budgeting

A budget is allocative in nature but constrained by environmental conditions and overarching political and fiscal objectives. Caiden and Wildavsky (1980: 66) argued that:

> *Budgeters in low-income countries often do not know where they stand with respect to basic features of national financial life; their estimates of income may be way off; their estimates of expenditure may be even more inaccurate.*

The scenario that Caiden and Wildavsky (1980) paint neatly fits Zimbabwe. The GoZ encountered similar problems in preparing and implementing its budgets. RDCs, as microcosms of the centre, bear the brunt of these economic ills.

Under the RDC Act, budgets are prepared by the RDC and approved by the minister. Annex 2 of paper by MLGNH (2003) highlighted the problem of overbearing ministerial control, and as the minister must approve borrowing, the markets and banks are closed off from determining the creditworthiness of RDCs. CEOs and finance officers argued that *'the onerous task of approving budgets and borrowing powers took a long time. As a result, RDCs lacked confidence to take the initiative. Similarly the private sector was scared of any business with councils'.* Budgeting was one process but what happened in practice was sometimes very different. Officers indicated that *'the expenditure pattern was very difficult to predict especially with inflation skyrocketing*'[33]. Thus, there was always provision for supplementary estimates, so that *'the budget became a series of patches'.*[34]

Gokwe South RDC admitted that the forced temporary closure of offices by war veterans in 2001 had an adverse effect on the operations of all RDC departments. *'Revenue collection was retarded, the use of the 2001 budget was suspended and then the 2000 budget was used ... The RDC collected far much below than what it estimated to collect during the same period'.* Most RDCs admitted that due to economic hardships, most farmers paying unit tax were designated for resettlement, thus drastically reducing expected revenue by 50%.

Pressure for change among disparate actors

In the RDCCB programme the pressure for change was placed squarely on the shoulders of the CEO. In a private company this is feasible, but in the public sector, especially in RDCs, the CEO is neither the locus nor focus of decision-making. Many other actors call the shots, including the RDC councillors, the DA/Minister, other politicians such as the provincial governor, leading ZANU-PF leaders from national to village level, Members of Parliament, war veterans, and anyone else person with political connections. Within this multifarious array of actors, the CEO is unable to act as a key change agent as assumed by RDCCBP.

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[33]Reaching an all time high of 231 million per cent as previously discussed.
[34]Resonating with Caiden and Wildavsky (1980, p.66)'s assertion

Characteristics of 'laggards' and 'progressives'

The terms *laggards* and *progressives* were coined by the Provincial Support Teams (PSTs) and the Provincial Administrators (PAs), and were evident in the terminology used in the selection of the 19 RDCs who remained in the CB programme, including 'commitment to change', 'progressive chairman and CEO'. It is notable that the laggards shared some common features, including:

a) a high turnover of CEOs which deprived them of continuity in top leadership;

b) Turmoil in these RDCs leading to their closure in some cases.

c) Difficulties in obtaining data, as officials had been dismissed or resigned, war veterans had ravaged the offices and 'archived' off some records, or records could just not be found.

The opposite was true for the progressives. The progressives were characterised by some form of stability. Being progressive was also a result of the personal or impersonal relations between the PA, the RDC chairman and/or the CEO. Cordial relations attracted better scores and vice versa.

(Over)Politicised local government

In Zimbabwe's RDCs, a number of cultural traits emerged. Among the majority of councillors, there was a strong partisan belief that the ZANU-PF and government were inseparable. Councillors having come into office on a ZANU-PF ticket owed unquestioning allegiance to the party, although others, especially white councillors who came in as independent candidates, had an oppositional mentality.

Some council meetings were held to accommodate ZANU-PF party affairs, as most councillors also held party positions. There were instances when council vehicles were being used primarily for ZANU-PF business, and when the party attempted to hijack council business. For example, in Bindura and Chirumhanzi RDCs party officials made it mandatory that proposed budgets should be discussed at party meetings before coming to Council. In one instance, Bindura councillors defied a party order not to discuss the budget at a meeting. They argued that adequate notice had been given to all the stakeholders. Conversely, Chirumhanzi RDC pandered to the dictates of senior ZANU-PF officials, and a full Council meeting was adjourned so that the party officials could examine the proposed budget before the Council resolved. This scenario was quite common within most RDCs.

On the staff side, most of the new CEOs after amalgamation had participated in the liberation struggle and were being repaid by the offer of top posts. In some RDCs, (Gokwe South, Mutasa and Gwanda), some members of staff occupied senior positions in ZANU-PF to the extent of being 'untouchable' in cases of breaching council procedures. In these cases, controversial disciplinary procedures ensued. Because of the emotive manner in which council decisions were made, officers were summarily dismissed and RDCs lost these cases at the labour courts. Some of these members of staff went on to contest Council elections and in the most interesting scenario, one came back as a Council chairman

in Gokwe South RDC. This development had far-reaching consequences for the RDCs, as the politics-administration dichotomy became blurred and political considerations got an upper hand.

Suspensions and non-suspensions – Mazowe, Mutasa and Gokwe South RDCs

Under Section 157 of the RDC Act, Chapter 29:13, the Minister of Local Government may suspend a councillor or a council if he/she has reasonable grounds of suspecting improper behaviour, and a number of RDCs were suspended. From the eight sample RDCs, Mazowe RDC was suspended in 1999 for alleged mismanagement and maladministration, but everyone interviewed acknowledged that there were other unstated reasons. People argued that the Mazowe RDC chairman had defied a party order by standing against the party choice in the election at the beginning of the new council in 1998. A ZANU-PF party caucus meeting was held just before the official council meeting. The provincial party leadership[35] 'proposed' the 'party choice'. In the council meeting it was supposed to be a matter of formally nominating the person and immediately closing nominations. Procedurally, the DA, as the presiding officer, would ask for more nominations, if any. However, in the actual council meeting, another nomination of the incumbent chairman was proposed and seconded. A vote was held and the party choice lost. Officials from Mazowe RDC indicated that:

> *the incoming council chairman, having frustrated and embarrassed the provincial leadership, assumed office with considerable ill-feelings and hostility, in spite of having been democratically elected by his fellow councillors.*

The allegations of mismanagement at Mazowe RDC found fertile ground and the minister came down heavily on the council. When councillors were suspended, they were asked to make individual submissions/responses on the allegations.[36] This rendered them compliant and they were reinstated but the chairman was dismissed.[37] Such action (the dismissal of the chairman) was an anathema to the democratic process. John Nkomo[38] (1998), addressing the suspended Guruve RDC, indicated that councillors had a collective responsibility over the decisions/resolutions made by council. In light of that, why then hold the council chairman vicariously liable for the collective misdeeds of the council? Thus, the chairman's ability to avoid suspension depended on his whimsical idiosyncrasies and political clout rather than formal legal instruments.

In the case of Mutasa and Gokwe South RDCs, the MLGNH levelled allegations of mismanagement against the councils. However, the councils survived suspensions because they were in good standing with their provincial political leadership. When the Minister of Local Government went to Gokwe South RDC (late 1999) to meet the Council before advising them of the suspension, his attention was drawn to the challenges of administering the urban wards of Gokwe Centre and that this had caused a

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[35]The Provincial Governor was the ZANU (PF) provincial chairperson.
[36]Similar tactics of individual submissions to the Minister were also used in the Guruve RDC case.
[37]This applies to the other RDCs (not in the sample) that were suspended.
[38]The former Minister of Local Government Rural and Urban Development who suspended most Councils in post-independent Zimbabwe.

furore[39] with the communities. At the meeting with the Council, the minister's attention was swayed to look at the possibility of according Gokwe Centre town status (though this was never on the agenda). The minister ended up setting up a commission to oversee the establishment of Gokwe Town, but according to Council officials

> the commission died a natural death and was quietly and conveniently buried in the administrative machinery.

Gokwe South RDC was 'invaded' by war veterans on 5 February 2001 and forced to close temporarily. A group of war veterans thronged the council offices with drums, chanting liberation songs, and forcibly removed all council employees citing a number of allegations. The onslaught by war veterans on RDCs has been described as 'a national curse: the tragedy of government by war veterans' (McGregor 2002; Hammar 2005: 2). This meant that the war veterans could act with impunity. Thus, in the case of Zimbabwe's RDCs the 'suspendable indicators' (reasons used by the minister to suspend councils) were a function of the councillors' political muscle or lack of it and the patrons behind them.

In all the examples of council suspension (and even war veteran disruptions), the District Administrators (DAs) participated in the commissions of enquiry set up to investigate the allegations and made the recommendations that led to suspensions and/or dismissal of chairpersons and Councils. Thus DAs became commissioners, running the council on behalf of the Minister of Local Government. In case of suspended CEOs, the DAs were also appointed as acting CEOs. This scenario casts doubt on the neutrality or impartiality of the DA. The DAs played the part of police, prosecutor, jury, judge and jailer. This is in direct contravention of the tenets of natural justice, particularly the *nemo judex in sua causa* rule (no person may be a judge in his own cause).

Whither amalgamation, decentralisation and CB?

The discussion has illustrated the problems that beset RDCs. The performance problems diagnosed within RDCs were deeply embedded in the volatile economic, social and political context. Political support for stable independent systems is an essential prerequisite to efforts to build capacity (Grindle and Hilderbrand, 1995: 43) but this was never done in the RDCCBP.

By concentrating on the observable factors, RDCCBP merely generated superficial shifts whilst leaving the underlying problems intact. RDCs participated in the programme for the incentives attached to the programme and CB was *'hopelessly confused as a funding hoop where cosmetic changes were made to secure funding and authentic change became elusive'* (James 2000: 2). When the programme came to an abrupt end, RDCs reverted to their old habits. They diverted their attention to new sources of funding; whatever traces of RDCCBP left were fortuitous. However, some RDCs

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[39]It was alleged that councillors and staff were heavily involved in residential and business stands scams. Minutes seen showed that some individuals had illegally allocated themselves stands.

had their own internally generated organisational improvements which they have continued, for example, Bindura RDC's 'in search of excellence' management meetings and Umzingwane RDC computerisation efforts.

Recommendations: critical factors for success

As RDCs, the parent Ministry and interested stakeholders contemplate on how to strengthen the capacity of RDCs, the following recommendations need to be seriously considered.

1. Providing a sound constitutional basis for LG. The provisions in the new Constitution approved in May 2013 provide a litmus test for GoZ's commitment to decentralisation.

2. Decentralisation is not a panacea and GoZ should heed Ayee's (1996: 49) advice to reject the romantic view of decentralisation. The GoZ should be very clear on what exactly they want to decentralise and ensure an acceptable level of preparedness by the RDCs who will assume the new functions. Honadle (2001: 85) talked of dual errors − the error of devolving programmes where there is not enough local capacity, and the mistake of keeping programmes centralised when there is local capacity that could be readily developed. For example, MLGNH could consider awarding stars/points to RDCs, similar to 'beacon councils' in the United Kingdom.

3. Labour relations in RDCs should be streamlined. The Minister of Local Government and his/her staff need to be clear about the laws governing the dismissal of staff before they can proffer advice to RDCs, which hitherto, has been misleading or inept, as DAs and their staff have (ill)advised RDCs on the basis of public service regulations that should not be used for RDC staff.

4. In the event of an RDC or CEO being suspended, the DA or any member of his/her staff should not become commissioner or Acting CEO. This tends to obliterate their supervisory/watchdog role as they would have assumed the role of police, investigator, prosecutor, judge and jury, which is untenable for sound administrative practice. Fairness and impartiality is essential. The RDC Act empowers the Minister of Local Government to appoint the DA and Assistant, but also any civil servant to be a commissioner or Acting CEO. Thus the DA will be able to supervise the new CEO or commissioner without fear or favour.

5. For the smooth implementation of projects, that there needs to be broad and generally agreed methods of funding and project implementation for rural development projects. A round table conference between all the funding agencies (local and international) together with RDCs and the GoZ, should pave the way for the minimum conditions and guidelines for project planning and management. This 'development bible' will allow RDCs to familiarise themselves with the basic conditions from across the spectrum of funding agencies. Consequently, RDCs

would not need to acclimatise to different and confusing arrangements for the different funders.

An ability to formulate policies is a critical function of any local government. The capacity to do so, becomes particularly important in the aftermath of crises such as those experienced in Zimbabwe's RDCs. A strong recovery from the devastation of the politico-economic tsunami that took place in Zimbabwe is necessary.

Conclusion

CB can work if the determinants of capacity are taken into account. RDCs failed to plan, implement and manage their own development programmes and maintain essential services on a sustainable basis as a result of the political-economic tsunami. CB is unlikely to flourish in such extreme contexts. The paper identified a number of issues that stifled CB efforts, *viz*, design of the RDCCBP, and political, legal and economic factors. The economic and governance crisis that engulfed Zimbabwe had a negative bearing on the efforts that RDCs were making to improve their operations. The CB efforts undertaken in an era of crisis can be characterised as 'capacity that never was'. As the political and economic situation improved, the Government of National Unity ushered an aura of normalcy.

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Traditional Rulers and Local Government in Nigeria: a Pathway to Resolving the Challenge

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Abtract

This paper examines the problem of integrating traditional rulers into the contemporary local government system in Nigeria with a view of resolving the problems arising from the tradition/modernity nexus in the present scheme. Two basic questions guided this work. The first relates to the relevance of indigenous traditional institutions to the challenges of contemporary democratic processes. The second relates to whether traditional modes of thought, behaviour and institutions constitute resources or impediments to the projects of modernisation and development. This paper concludes that the goal of modernisation is to generate rapid increase in social wealth and its driving force is economic development; and where traditional institutions are able to contribute positively to this goal, their input should not be jettisoned.

Key words: traditional authority systems, traditional rulers (Emirs, Obas), cultural revivalism, antimodern.

Introduction

For centuries before the advent of British rule, governance in different parts of present-day Nigeria was synonymous with traditional institutions and their rulers. Local administration generally centered on the traditional ruler who was considered the repository of religious, legislative, executive and judicial functions, with a few exceptions (e.g.: in the south-east amongst Ibo communities) (Afigbo 1972). In effect, the traditional ruler formed the nucleus of governance. One striking fact is that the geographical spheres of authority of these traditional rulers were essentially localised and no traditional ruler ever had jurisdiction over the entire geographical area of modern Nigeria. Partly on account of this historical background, the tendency has been to view and analyse the developments taking place in traditional institutions in the country more in relation to local government as opposed

to the country's governmental system at large. The role of traditional rulers in local government administration has been changing over the years. From a position where they were chief executives of their localities, they now serve as advisers in the contemporary local government system. This has created a problem in the relationship between traditional rulers and elected local government actors. The focus of this paper is to examine the problem of integrating traditional rulers into the contemporary local government system in Nigeria and discern a pathway to resolving the challenge.

This paper is based on secondary data and relied on national and international literature, and review of relevant legislation and constitutional provisions. The paper is structured into six sections. The first section introduces the subject of traditional authorities. The second examines various perspectives on the relevance of indigenous African traditional institutions in the context of the challenges of contemporary democratic process. The third section traces the contours of the changing role of traditional rulers in local government in Nigeria. The fourth section examines the emergent local government system in Nigeria and the problems of harmonious co-existence between traditional authorities and elected local government actors. The final sections explore options for resolving the tradition/modernity nexus in Nigeria are addresses in the fifth section, and draw conclusions from the analysis.

Laying out the turf

The nexus between the traditional and modern has been a central theme of postcolonial African philosophy. African philosophers have examined this theme from many angles, yet two questions have become the focus of ongoing debate. The first relates to the relevance of indigenous African traditional institutions to the challenges of contemporary democratic process. The question relates to whether traditional modes of thought, behaviour, and institutions constitute resources or impediments to development and modernisation in Africa (Ciaffa 2008).

The discussion of such questions reveals a conflict between two broad perspectives. The first perspective relates to *cultural revivalism.* This perspective assumes a reverential attitude toward African cultural heritage. In Gyekye's view, the key to addressing contemporary problems effectively lies in reclaiming and revitalizing indigenous traditions that have been degraded and suppressed in the wake of colonialism (Gyekye 1997:233). He argued that colonialism violently disrupted African cultural traditions and imposed, with varying degrees of success, European forms of thought and social organisation on colonised peoples. Having achieved political independence, postcolonial Africans must now pursue a more decisive liberation, a *decolonisation* of African minds and societies. Revivalists are often skeptical of calls for development and modernisation, viewing them as veiled calls for the continued imposition of European cultural norms, but it is important to realize that they do not typically view their own project as *anti-modern.* For revivalists, the key point is that genuine modernisation in Africa can only be realised through the revitalisation of African cultural norms.

The second perspective is predicated on the assumption that the *revivalist project is misguided* and ill-suited to the challenges of contemporary Africa. Proponents of this school of thought argue that cultural revivalism diverts attention from pressing political issues, such as authoritarian oppression, technological backwardness and class exploitation (Eze 1997). The most extreme form of this view, suggests that Africans must make a *clean break* with the pre-modern past in order to address the most urgent demands of the present (Hountondji, 1996:48). Modernisation, for them, requires a orientation commensurate with the problems of the present, and not an attempt to resurrect ideas from societies of the distant past.

Basically, modernisation is a sign of progress and an ideal to be pursued. In examining the debate between cultural revivalism and its critics, the key question is: do indigenous traditions and traditional institutions enhance or impede the processes of scientific and political modernisation? It is from this context that this paper examines the role of traditional authorities in the contemporary local government system in Nigeria.

Traditional authority systems and traditional rulers in Nigeria

It is difficult to provide a universally accepted definition of a traditional system of authority in Nigeria because of the diversity in the political and administrative components of traditional systems in different parts of the country. This difficulty notwithstanding, traditional systems of authority may be defined as the indigenous polity which existed before the advent of the colonialists (Adewumi & Egwurube 1985:20).

The responsibility for giving appropriate definition as to who is a traditional ruler is primarily that of the State Governments. There are no fundamental variations in the definitions contained in the *Traditional Rulers and Chiefs Law* of the various State Governments (Onoja 2007; Emordi & Osiki 2008). Based on the review of various of State laws, Ola and Tonwe (2009:174) argue that a 'traditional ruler' may be defined as *'the traditional head of an ethnic group or clan who is the holder of the highest primary executive authority in an indigenous polity, or who has been appointed to the positioning accordance with the customs and tradition of the area concerned by instrument or order of the state government, and whose title is recognised as a traditional ruler title by the Government of the State'*.

Traditional rulers and local government in Nigeria: changing roles

The role of traditional rulers in relation to local government has been changing over the years. In tracing the contours of the role of traditional rulers in local government in Nigeria, three distinct geographical regions are discernible, the north, the south-west and the south-east.

In the pre-colonial era, a close examination of the established traditional institutions and their rulers reveals that in the task of governance, the traditional rulers had to shape appropriate policies, order priorities and generate revenue to meet the needs of their communities in the exercise of these functions. In the North, the Emir could be referred to as a strong executive participator in local administration with few restraints on his executive powers. In the South-West, beside the Oba (or king), there were other power blocks or centers such as the body of king makers, the town council and powerful secret societies whose input in shaping the local administration acted as checks on the Oba's power, so the Oba can be regarded as a weak executive participator in local administration (Oguntomisin 1996). In the South-East, the indigenous political system reveals a great deal of popular participation and was highly decentralised and fragmented with authority being exercised at different levels, from the household level to the village level with an absence of centralised executive authority. In all, the traditional ruler was an embodiment of local administration (Ola & Tonwe 2009).

With the advent of colonialism, the British colonial administrators recognised the strategic and influential position occupied by traditional rulers in the country. The colonial administrators had a number of problems, including limited British personnel, and limited finance to run the country, as British colonial policy was to generate cost of running colonies and managing the volatile law and order situations from the colonies themselves. Largely for these reasons, the colonialists avoided attempting any drastic reforms of the indigenous local administration (Adesoji 2010). Instead, the British colonial administration took steps to put in place a system of indirect rule, as a convenient strategy to govern the people through their traditional institutions and rulers while ensuring close guidance by British Administrators. In this way, the allegiance of the people was secured via their traditional rulers (Ola 1983:24). In effect, there was a clear attempt by the colonial government to consolidate the role of traditional rulers as chief executives of their localities, and this was extended to areas where traditional rulers had not hitherto held this power.

One of the features of indirect rule and native authority system was that nationalists were not encouraged to serve in the local councils. The traditional rulers were in firm control of their local councils and they tended to be despotic and authoritarian in performing their functions which were essentially maintenance of law and order, and enforcement of tax policies of the British colonial government. By mid-1940s however, political parties in the country had begun to assert themselves. Nationalists were forceful in demanding adequate representation in government affairs, while at the same time pressing for self-rule. They contended that the existing Native Authority System was incompatible with modern secular and democratic tenets of local government. About this time too, the British government was re-appraising its strategy of governance at the local level with the aim of evolving a system of democratic and efficient local government. An official report, presented to the British Parliament in July 1949, stated that the objective of the new system was the encouragement of local political interest and building of efficient and democratic local government as a cardinal feature

of the British policy in Africa (Uchendu 1965). It was recognised that political progress of the territories was dependent on the development of responsible local government, that without sound local government a democratic political system at the center was not possible, and that if social services were to be expanded they must be operated by an efficient organ of local government directly representative of the people (Orewa & Adewumi 1983).

The South-East of the country presented the most fertile ground to implement the British Government's new policy as the traditional societal setting was highly atomised, and there were few despotic or authoritarian traditional rulers. The Eastern Region took the historic step of abolishing the Native Authority System and replacing it with the Local Government Ordinance, 1950. The Ordinance provided for largely elected councils, with non-elected members not expected to exceed 25%. The Chairmen of the councils were to be elected from amongst the elected councilors (Orewa and Adewumi 1983).

In the Western Region, the *Western Region Local Government Law 1952* was promulgated to replace the old Native Authority System. The law provided for local councils to consist of both elected and traditional members, with traditional membership not exceeding a quarter of its total membership. The law further provides that, recognised chiefs (i.e.: traditional rulers) could be appointed president of the councils, but did not assign them any specific role, and as such they were ceremonial presidents. To further ensure that traditional rulers were excluded from active participation in local government, the Local Government Law was amended so that no traditional ruler appointed as president of the council could also be appointed chairman of the council (Atanda 1970).

In the Northern Region, the old Native Authority Ordinance was replaced by the *Native Authority Law 1954*. The law provided for a number of operational frameworks including Chief-in-Council, Chief-and-Council and Federated Native Authorities. In the Chief-in-Council arrangement, the Emir had the power to veto council decisions, provided that he informed the governor whenever he did so. In the Chief-and-Council arrangement, the law provided that the Emir could not act contrary to the decision of the Council. However, because in the Northern Region, Islam has been established so long and so firmly that its practice has become inter-twined with those of traditional political authority – a type of Theocracy; it was difficult to discern any difference in power of the Emirs between the Chief-in-Council and Chief–and-Council arrangements. Federated Native Authorities were also set up to cater for communities not directly under the Emirates. In many cases, dissimilar communities in terms of history and tradition were grouped together under this arrangement, coupled with shaky headship arrangement, the internal harmony and effectiveness of most of the Federated Native Authorities left much to be desired (Ekong 1985).

The emphasis of the 1950s was the democratisation of the local government system in the country, and the historical climb-down meant that, for traditional authorities in the South-East and South-West

of the country, democratisation meant the loss of their executive role for a participatory role in the affairs of local government. The extent to which traditional rulers were involved in the decision making process at the local level during this period depended on how much influence individual traditional rulers wielded in the eyes of the political actors at this level. In the North, the introduction of the Chief-in-Council and Chief-and-Council did not succeed in taking away the executive powers of the Emirs, who still local executive functions (Last 1999).

Before Nigeria gained independence in 1960, the contention by a cross-section of nationalists that the institution of traditional rulership was in direct conflict with democratic ideals as the system was personalised had gained considerable momentum. After independence, the political elites continued to try to reduce the influence of traditional rulers in local decision-making. From 1960 to 1966, when the military seized power, the democratisation effort in Eastern and Western Regions had a significant adverse effect on influence of traditional rulers in local decision-making. In most parts of the Northern Region, however, the Emirs were still in control of their Councils as the democratisation effort appeared to be neutralised by their overwhelming influence. By January 15, 1966 when the military seized power, the extent of influence of traditional rulers was greatly influenced by which side of the political fence they faced (Orewa & Adewumi 1983).

The assumption of political power by the military in 1966 had substantial implications for to role of traditional rulers in local government. In the Northern States between 1966 and 1972 Customary/Native Courts were taken over by state governments, and Prisons and Police were taken over by the Federal Government. The nomenclature of Native Authority was dropped and the existing Native Authorities balkanised into independent local government units, but the Emirs were still influential in the decision-making process at the local level. New provisions were introduced for election of two-thirds of the membership of the Local Government Councils. In Western states (including the Mid-west), before 1966, the role of traditional rulers in local government had been essentially ceremonial. The situation was the same in parts of the Eastern States where traditional rulership still existed (Ola & Tonwe 2009).

At the terminal phase of the Mohammed/Obasanjo military regime which ended in 1979, the Federal Military Government in consultation with State Governments attempted to institute a uniform role for traditional rulers throughout the country through the *1976 Local Government Reform*. Traditional rulers were insulated from politics and formally assigned advisory roles in local decision-making through Traditional/Emirate Councils (GLGR 1976). The advice of the traditional rulers is not binding on the elected local government councilors.

The strongest opposition to these reforms came from the traditional rulers in the Northern Nigeria, where traditional rulers still played a significant role in the decision making process at the local level, so the effect of the uniform advisory role was obviously more significant. For the traditional rulers in

the South-West and South-East of the country, their being assigned advisory role by the 1976 Reform was only stating in 'black and white' what had been their role for well over a decade (Uchendu 1965). Thus, it appears that the problem of traditional rulers is more of a *Northern problem* where the existence of dual authority structure, the traditional and the secular is very pronounced. In the country at large, however, the crux of the problem lies with the degree of decision-making prominence which the government gives to dynastic traditional rulers in the context of a gradually evolving local government system directed at popular representation, citizen participation and mobilisation, and their role as informed observers and ceremonial participants in matters of local government (Adewumi & Egwurube 1985:31).

After the inception of the 1979 Constitution, traditional rulers were very critical that the constitution did not mention their role in local government. Traditional rulers, particularly those in the North, were far from being contented with the advisory/ceremonial role assigned to them. The degree of prominence in local decision-making that traditional rulers could be given by democratically elected local government councils guaranteed by the Constitution was the subject of heated debates during the Second Republic from 1979-1983 (Gboyega 1987). These debates did not quite concretise before the military seized power again in December, 1983.

Perhaps in response to the call by traditional rulers for constitutional recognition of their role in local government, the 1989 Constitution spelt out the functions of a Traditional Council at local government level. Critically speaking, this development cannot be regarded as an enhancement of their role in local government affairs, as the 1999 Constitution does not specify the functions of traditional authorities. The on-going effort of the Nigerian Senate to fashion a constitutional role for traditional rulers in is timely and in the right direction (Vanguard 2012:13).

Emergent local government system: persistence of co-existence

Having catalogued the historical antecedents that frame the present status of traditional rulers in the country, the next important area of examination is the extent to which traditional authorities and local governments co-exist in contemporary Nigerian local government.

Under the 1999 Constitution, it is obvious that local governments should play a leading role in the emergent order, as traditional rulers are still vital to the attainment of economic progress and political stability at the local level. The continued relevance of traditional authorities to the local government system in contemporary Nigeria as Egwurube (1985:34) rightly noted may be attributed to the following reasons. First, participant political culture among the majority the citizens, especially in rural areas is still dormant. Second, traditional authorities are still legitimate in the eyes many people. Third, attempts to institutionalise alternative local leadership structures in modern, stable and elected local government institutions, that would eventually receive the overall acceptance of the citizenry,

have largely failed. Thus institutions which essentially have a local base must complement the efforts of each other for effective governance at the local level.

To ensure that this is achieved, efforts have been made to state the working relationship between traditional authorities and local government in the country. In spite of this, there are frictions, and the peaceful co-existence between both institutions is very much in doubt. Two major reasons are given. First, traditional rulers, especially those who were very powerful in the past, are disillusioned with the present political arrangement, which assigns them only nominal advisory roles in local government affairs. A number of traditional rulers have expressed their concern in seminars and conferences on traditional authorities and local government relations. Prominent traditional rulers such as the Oba of Benin and the Alafin of Oyo have vehemently expressed their dissatisfaction with how traditional institutions and their rulers have been relegated to the background over the years (Amadi 2007).

Unsurprisingly, concerted efforts by traditional rulers to enhance their role in the local government and macro-political affairs have pre-occupied them more than anything else. This posture has greatly affected their interest in and contribution to the effectiveness of local government under the present dispensation.

Second, there is a great deal of insensitivity amongst modern elected local government councillors to the ego of tradition rulers. Even though they are assigned advisory roles, relevant provisions are not fully respected. Legislation in the former Bendel Sate (now transferred to the replacement Edo and Delta States) specifies the role of traditional councils at local government level − Section 47 of Part VIII of the *Traditional Rulers and Chiefs Edict, 1979 specifies* the following functions:

   a) Formulation of general proposals by way of advice to the Local Government or to all local governments in the area.
   b) Harmonisation and co-ordination of development plans of such local governments by joint discussions and advice.
   c) To assist in the maintenance of law and order (Bendel State of Nigeria, 1979).

Under the same Edict, the Secretary to the local government is also required to furnish the President of the Traditional Council with copies of all meeting minutes of the Local Government Council, copies of all agendas, memoranda and other documents and information as would enable the President to be fully conversant with proceedings of the Local Government Councils. The President also has the privilege of inspecting all books, including minute books of the Local Government Council or Councils where there are two or more local government councils under his jurisdiction, to enable him obtain sufficient information for full discharge of the functions conferred on him under the Edict.

The traditional rulers have complained on many occasions that, because the role envisaged for them under the Edict is advisory, local government administrators see the implementation of these

provisions as inconsequential and an unnecessary burden. This situation has further alienated traditional rulers from the activities of local governments, with varying results. Some traditional rulers have cited shabby treatment by elected local government functionaries as justification for their lukewarm attitude in performing their advisory role in their local government areas (Amadi 2007). In addition, modern local government actors themselves seem to portray any role of traditional rulers in governance as an unnecessary burden. This is all the more disturbing as a huge amount of public money is spent by state and local governments on the Traditional Councils all over the country. As much as five percent (5%) of the statutory revenue of local government areas are mandatorily required to be remitted to traditional councils for their upkeep. This guaranteed source of funding of traditional authorities was put in place when the military regime under Sani Abachi decreed it in 1995 (Aiyede 2003; Akinwalere 2003:31).

Resolving the tradition/modernity nexus

In the pre-colonial era, as well as substantial part of the colonial era, traditional authorities played a significant and active role in the governance and development of local government, yet today the very essence of the institution is being questioned. The issue of relevance of traditional authorities in the country's modernizing polity is a highly controversial one, as there are divergent opinions and interest. Egwurube (1985) identifies three schools of thought in this regard.

One school contends that the institution of traditional rulership should be *abolished,* as it is an anachronism in a democratically elected local government system, guaranteed under Section 7(1) of the 1979, 1989 and 1999 Constitutions, and the parallel institution of traditional rulership is anomalous. While one envisages a competitive and participatory process, the other is a system based on authoritarian, personalised tradition. The supporters of this school conclude that, if the country is serious about ensuring that the citizenry adopts the democratic and participatory culture needed to quicken the pace of modernisation, then a decisive step needs to be taken to *'jettison this archaic institution once and for all'* to enable the people develop the required orientation in line with the reality of the present age and time (Ayeni 1985).

The abolitionists have a point in that the principles behind democratic local government and the institution of traditional rulership are opposed to each other; the solution advanced by them does not appear realistic. For one thing, the high degree of acceptance of traditional authorities particularly in the rural areas cannot be dismissed as inconsequential, nor would be abolition of the institution of traditional rulership easily obliterate rulers' legitimacy and public acceptance. The abolitionist solution is confrontational and can create chaos in local government operations (Egwurube, 1985: 38).

Perhaps sometimes in the distant future when the polity is fully modernised, there may be no need for the institution of traditional rulership. However, at this modernizing stage, it is desirable to handle the

issues relating to traditional authorities with caution and tact, if the objective of achieving a democratic, stable and durable local government system is to be achieved.

A second school of thought argues for *political enhancement*, contending that traditional rulers should be allowed to participate in politics to enhance their political position in the present system, envisaging a situation where traditional rulers make an effective contribution to local politics.

The adoption of this strategy is bound to be clouded with a number of difficulties. Section 7(1) of both the 1979, 1989 and 1999 Constitutions guaranteed a system of local government by democratically elected local government councils and as such does not envisage any active role for personalised institutions in the operation of local government. Part II of the Fourth Schedule of the 1989 Constitution (the 1999 Constitution has no provisions in this regard) set out the functions of a Traditional Council at the local government level. The second clause the Schedule clearly states that '*nothing in the schedule shall be construed as conferring any executive, legislative and judicial powers on a Traditional Council'*. The chances that the Constitution will be amended to reflect the political enhancement solution are very slim. The high degree of legitimacy traditional rulers enjoy in the eyes of the citizenry is based on the belief that the institution of traditional rulership is a sacred one. Subjecting traditional authorities to rigors of the electoral process and petty politics society would make them a target of public scrutiny, and would destroy their sacredness thereby destroying their major source of strength. While the intention is to carve out a prominent role in local governance for traditional authorities, their strategy may in fact lead to the collapse of the institution of traditional rulership in the country (Egwurube 1985).

The middle–path in the continuum between the abolitionists and the political enhancers is the *retentionist* school of thought, which favours retention of the traditional authorities as participatory local government actors in advisory and non-executive capacities. The adoption of the retentionist strategy as Egwurube (1985: 35) rightly observed would not only ensure stability and continuity of emergent local government system based on democratic and participatory principles, but would also tap the strength of traditional authorities in the sphere of citizen mobilisation and acceptance of local government policies. This involvement of traditional rulers in local government affairs, in addition to their other ceremonial functions, would reduce potential acrimonies and confrontation between local government actors and traditional authorities. While the retentionist strategy may well serve the need of the present time, the future of traditional rulership would depend on its adaptability to its evolving setting and how ingeniously it modernised to maintain the balance between reconciliation with modernity and obliteration of tradition (Ayeni 1985: xxxviii).

Some developing countries have adopted the radical policy alternative of abolition. In Africa for example, outright legal abolition of traditional authorities has been pursued by Guinea in 1957, Burundi in 1960, Mali in 1961, Rwanda in 1962 and Zaire in 1973 (Bamidele 1985:32). In India,

after initially opting for the retentionist policy, abolished the Zamindari (Feudal) institutions through the Land Reform Policy, and later through the *Constitution of India, 26th Amendment Act, 1971*. In all these countries, what is evident is that the system got smashed, but not wiped out. The splintered particles of the smashed system still float in the macro and micro political processes. The experience shows that even in a delegitimised state, traditional systems of governance have proved to be a force at different levels of the polity. Outwardly exhibiting democratic pretentions, such dual systems continue to display feudal orientations and exploit traditional bases for leadership in various aspects of social life, but their activisms have had adverse implications for the growth of genuine democracy as well as political modernisation.

Other countries have adopted a more accommodating retentionist approach, perhaps realizing the futility of the abolitionist strategy, such as Senegal in 1960, Upper Volta in 1964, the Central African Republic in 1959, Cameroon in 1959 and 1966, and Congo-Brazzaville in 1967 which have attempted to adapt traditional institutions to their contemporary political and administrative framework (Dave 1989),. Nigeria should adopt the mellowed retentionist policy in the face of the radical abolitionist measures taken in the countries listed above. Instead of allowing traditional functionaries to exercise corrosive influence clandestinely, it is better to clothe them formally with legitimacy. While disallowing their active involvement in party politics, they can serve as agents of transition from traditionalism to modernism (Gyekye 1987).

Conclusion

The relevance of traditional institutions to the transformation of African economies and governance systems is highly disputed in the post-colonial literature. This study does not subscribe to the school of thought that hold, the view that the traditional system is anachronistic, undemocratic, divisive and costly; and as such a hindrance to the development and transformation of the continent. It is sad that, while some scholars are quick to comment that traditional rulers were adaptive enough to be used by both the colonial and post-colonial State, these scholars are unreceptive to the fact that traditional rulers can be adaptive in providing their services to a democratic State as catalysts for development.

In Nigeria, traditional rulers still record a high degree of legitimacy in the eyes of the people. There remains the need integrate the institution into the country's contemporary local government system. Political and economic development would be more successful when rooted in widely shared institutions and cultural values which traditional authorities represent. Traditional institutions constitute crucial resources that have the potential to promote grassroots governance and to facilitate access of rural communities to public services. The goal of modernisation is to generate a rapid increase in social wealth and its driving force is economic development. Traditional rulers in Nigeria are in a privileged position to contribute to this goal, and as such should not be jettisoned.

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RESEARCH and EVALUATION

Comparing Local Fiscal Autonomy in the Water and Sanitation Sectors of Johannesburg and Nairobi

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Abstract

The rationale for local fiscal autonomy suggests that local expenditure and local revenue generation should remain in close proximity. This is achieved through fiscal decentralisation to local government, to ensure efficient provision of local services that align with local needs, and to improve accountability to residents. Fiscal decentralisation has found resonance in developing countries through local government reforms, but in Africa fiscal decentralisation has been focussed mainly on revenue sharing, except in a few cases where some local fiscal autonomy has been achieved.

Urbanisation in Africa is likely to continue (UN-Habitat, 2008), necessitating an increase in municipal service delivery which African cities must finance − hence the need for local fiscal autonomy. Local fiscal autonomy is arguably contentious for African cities, partly because provision of municipal services must be tempered with considerations of equity and redistribution to the poorer urban populations, and because inadequate welfare nets from national government do not subsidise the gap in municipal revenue. In the recent past, Kenya and South Africa adopted local government reforms in different forms that has yielded different forms of local fiscal autonomy. The paper conducts a comparative of local fiscal autonomy in municipal services provision in Nairobi and Johannesburg.

Key words: revenue, African cities, Nairobi, Johannesburg, water services, user fees

Introduction

As African cities increase in size and economic output, urban governments face the unenviable challenge of providing a vast array of services to a diverse population. While one sector of the urban population has high technological and economic capacity, coupled with an ability to pay and a sophisticated demand for municipal services, poorer sectors of the city population require consistent access to basic urban services as a human right. It is to this diverse group that African cities should strive to provide municipal services. Questions then arise about the decisions that these cities make in maximising revenue for municipal expenditure − e.g. does the revenue assignment function cater for local preferences, and is local discretion evident in local revenue functions?

This paper draws on a larger study that explores how two African cities with different revenue instruments leverage local revenue, to argue the need for local fiscal autonomy in African cities based on case studies of Nairobi and Johannesburg. The theoretical discussion on local fiscal autonomy is followed by an examination of user charges for water and sanitation services, as an example of a local revenue instrument, to argue for local political oversight and decentralised revenue management.

Background

Kenya and South Africa are the major economies in East and Southern African (IIAG, 2012). Kenya serves as an important avenue for exports and imports to neighbouring landlocked countries including Rwanda, Burundi and Uganda. Kenya is the largest economy in East Africa and the third largest in sub-Saharan Africa, and has the lion's shares of the East Africa's financial services and corporate headquarters (APRM, 2006: 17). South Africa dominates the sub-Saharan economic landscape and is (IIAG, 2012). Cities in both countries need local fiscal autonomy to meet the vast and diverse municipal expenditure needs that they face (UN-Habitat, 2009a: 10), and the diverse municipal populations of both Nairobi and Johannesburg continue to place a high demand on municipal services. It follows that the municipal mandate of both cities should correspond to the local revenue function.

Nairobi is over 100 years old with a colonial history. The city was chosen as a suitable stop between Mombasa and Kisumu during construction of the Kenyan Railway during the late 19th century. The city initially developed along racial lines with the former more affluent European areas better served by municipal services, while the African areas remained densely populated and under resourced (Obudho, 1997; Nangulu-Ayuku, 2000). In 2009 the city's population was estimated to be 3.7m, roughly 38% of Kenya's population (KNBS, 2010). The downside of rapid urbanization in cities such as Nairobi is the growing prevalence of slums and poverty in the under resourced regions of the city (UN-Habitat, 2009b: 119). Access to water and sewerage services remains problematic in these impoverished areas (Crow & Odaba, 2010; Sammy, 2004).

Johannesburg came into existence a decade earlier than Nairobi in 1886. The city sprang up as a mining town and grew into a large city by the mid-20th century (Beavon, 1997). In 2011, the city's population was 4.4m and is now South Africa's largest city with an economic base generating 16% of the country's gross domestic product (Stats SA, 2011; City of Johannesburg, 2006). Johannesburg also serves as the corporate headquarters for major banks and companies in Southern Africa (City of Johannesburg, 2006).

Historically, Johannesburg also developed along racial lines (Cameron, 2000; Bevon, 1997; Tomlinson, 1991). The city's residents in the impoverished former townships have limited access to water and sanitation, despite the city's valiant efforts to address redistribution of critical municipal services in line with national and international norms (CoJ, 2005: 30; Stats SA 2001, SACN, 2007 Richards, O'Leary & Mutsonziwa, 2007).

However, in both Kenya and South Africa, while the provision of water and sanitation is contentious, service provision remains the mandate of local government (K'Akumu, 2006; Nyangena, 2008; Crow *et al*, 2008; van Rooyen *et al* 2009). The rest of this paper explores how, within the discourse of fiscal decentralisation, local fiscal autonomy is manifests in the provision of services by the water utilities in Nairobi and Johannesburg. Finally the paper identifies emerging issues in relation to city oversight and local revenue management of basic services.

Methodology

This paper scrutinizes the experience of revenue autonomy with respect to water and sanitation services in Nairobi and Johannesburg. The findings are drawn from a larger study that examines the experience of local fiscal autonomy for specific revenue instruments in the two cities. The paper is based on an analysis of Kenyan and South African government documents including past and current legislation, policies, audited financial statements, and annual reports from the two water utilities.

Bahl and Martinez-Vazquez (2006) and Smoke (2001) identify the assignment of appropriate revenue tools to local government as important in the process of sequencing fiscal decentralisation. The provision of municipal services by local government heavily relies on the resources that local agencies have to finance municipal expenditure. They argue that, even with an intergovernmental fiscal transfer system, cities with administrative and managerial capacity should have the authority to generate revenue locally.

Local revenue and user fees in particular enable cities to provide those services where the costs of provision are connected to levels of consumption, such as water and sanitation services. Although equity principles should underlie the provision of these vital service, user fees that reflect the economic cost of these services provides an opportunity for cities to leverage significant revenue. Where cities have the potential to generate significant local revenue, there is an argument for revenue autonomy, which should be reflected in city management of the water revenue generation and in local political oversight of the service. The case study contrasts how Nairobi and Johannesburg tackle these challenges.

Theoretical considerations for local fiscal autonomy

Fiscal decentralisation is defined in this paper as the delegation of fiscal resources to local government (Oats, 1999; Bird, 2000). Fiscal decentralisation may take two forms: *revenue sharing* and *revenue assignment* (Bahl, 1999). In revenue sharing, central government allocates revenue directly to local government through conditional or unconditional intergovernmental transfers. In revenue assignment, which is the focus of this paper, local government is given the mandate to raise revenue locally. In examining revenue assignment, three aspects are relevant: *efficiency; processes,* and *local fiscal autonomy,* as a basis for analysis, each examined in more detail below.

Efficiency

Fiscal decentralization has been popularized by economists (Bird, 1993; Musgrave & Musgrave, 1973; Oates, 1972; Oates, 1999; Tiebout 1956) who propose efficiency as an essential prerequisite for fiscal decentralization. The argument is made that fiscal decentralization is effective if there is a clear distinction between spheres of government, whereby local government performs specific local function with revenue-raising tools to finance the expenditure. This implies a reduced reliance on national government to finance local expenditure and enhances local fiscal autonomy.

Revenue assignment allows local government to access local revenue and claim local fiscal autonomy. However it also raises the possibility of adverse effects on local population or on wider spheres. These negative consequences may be felt in three domains: areas within the jurisdiction of local government; for the national government; or for the country as a whole.

First, evidence reveals that revenue assignment may increase the potential for corruption as the close proximity between local officials, politicians and residents may increase opportunities corruption in revenue collection or service provision (Koldstad & Fjeldstad, 2006; Fjeldstad & Semboja 2000). This occurs when the local government system lacks adequate measures of accountability, as has been the case with the property tax in Tanzania (Koldstad *et al*, 2006).

Second, local governments often do not have the capacity to administer revenue assignment. Inadequate physical and human resources, mean that local government is inhibited from generating significant local revenue. The detrimental effect of incapability is documented in the experience of developing economies (Asibuo, 1998; GoK, 1996; Sing and Moodley, 2003). In both Zambia and Botswana, the fiscal relationship between the different levels of government remains blurred which negatively affects local government revenue-raising capacity (Sharma, 2003; Maipose, 2003). Even where countries have a framework that provides for fiscal decentralisation, this does not always translate into increase revenue for local government. Ghana, for example, provides for fiscal decentralisation in the Constitution, bit in practice this has not occurred. In Zambia and Zimbabwe, local authorities also experience erosion of the local revenue-raising powers (Asibuo, 1998; Ndoro, 2010; Rubvuta, 2010). In addition, the weak local tax base prevents local government from mobilizing local revenue (Tannenwald, 2002).

Third, from a national perspective, fiscal decentralisation may erode fiscal tools operated by national government for economic stabilization. For example, income tax is important central government tax, and delegating tax collection to local government, means that central government has less access to revenue to manage national fiscal policy and the overall economy. Local fiscal autonomy may thus constrain national government from using tax reforms to regulate the economy when need arises (Jourmard & Kongsrud, 2003: 19-22; Prud'homme, 1995). The argument has also been made that

local fiscal autonomy may lead to a distortion of resource allocation and increase inter-jurisdictional disparities (Prud'homme, 1995; Heyns, 1995; Oates; 1999). This proposition was also reflected earlier by Tiebout (1956) who argues that local residents are more likely to relocate to communities where they receive maximum benefit for local services, thus 'voting with their feet'. These are therefore the factors that may mitigate against fiscal decentralisation.

Fiscal decentralisation

The processes and structures of fiscal decentralisation should allow for local revenue mobilisation. Literature broadly suggests that fiscal decentralisation includes several components. First is an adequate enabling environment reflected in political which is important in implementation as central governments in many countries in Africa, remain unwilling to delegate revenue tools (Sharma, 2003). Secondly, a promulgated legal framework is required. This should assign appropriate functions *and* appropriate revenue to sub-national governments to reduce the incidence of unfunded mandates that leaves local agencies responsible for services with no corresponding revenue, as happened in South Africa where municipalities were responsible for some aspects of health care with no funding. Local authorities should also be able to obtain investment capital from central government, capital markets or municipal stock, a critical resource for financing municipal infrastructure. Finally, developing an appropriate intergovernmental transfer system for revenue-sharing by different levels of government is important (Bahl & Martinez-Vazquez, 2006; Smoke 2000a; 200b; 2001).

Local fiscal autonomy

In contrast to fiscal decentralization, local fiscal autonomy is achieved through taxing and borrowing powers granted to local government (Bird, 2000; Bahl 1999). Local fiscal autonomy provides a close link between local revenue-raising powers and local expenditure assignments, resulting in a high degree of accountability that stems from the proximity of local expenditure and finance (Laubach, 2005). Furthermore, local fiscal autonomy is seen to make government more responsive to local needs (Denters and Lawrence, 2005). In addition the discretion to mobilise local revenue through revenue assignment allows for innovations in economic activity, enables local government to explore new revenue sources, and presents opportunities for efficiency (Jourmard *et al*, 2003; Oates, 1999). The benefits of local revenue autonomy are three-fold: first, sub-national tax autonomy addresses the problem of vertical imbalances in fiscal decentralization, giving local government an opportunity significantly to increase local revenue raised; second, the use of local revenue instruments allows for discretion in budgeting, and finally municipal borrowing and creditworthiness is strengthened by revenue autonomy enabling local governments to finance long-term capital expenditure (Bahl et al, 2006: 22). Thus, local revenue assignment enhances the ability of local government to finance mandated local expenditure. The section below explores how the local revenue function is manifest in the provision of water and sanitation services in Nairobi and Johannesburg.

Revenue assignment for water and sanitation

The provision of water and sanitation services is contentious terrain, particularly access and affordability for the urban poor when government opts to charge for the provision for this vital service (Crow and Odaba, 2010; Bond and Dugard, 2007; Public Citizen, 2004). Furthermore, the governance of water services reflects discrepancies that undermine the intended efficiencies in water supply (Estache & Kouassi, 2002). In addition, reports from the minimal citizen participation in governance processes highlight the contentious nature of water services (Nyangena, 2008). Corruption has also been touted as a consequence of poor water governance (Butterworth and de la Harpe, 2009).

Historically, where residents pay for water consumption, the local authority water services fall into two categories, *user fees* or *trading services* (Cowden, 1968). This implies an 'ability to pay' whereby the water tariffs take into account the fixed infrastructure costs and variable costs of water supplies. Where municipal services charge user fees, evidence suggests that local governments are able to profit from the service (Bahl and Linn, 1992: 271; Cowden, 1968:116). On this basis water services become a viable revenue source for cities.

This paper proposes a framework that explores how local fiscal autonomy and revenue assignment are manifest in local government services through the analysis of the water and sanitation sectors of Nairobi and Johannesburg. The intention is to explore the contextual innovations and constraints that arise in these two cities. Both cities set up water utilities, which illuminate the intricate fiscal and political relationships inherent in local fiscal autonomy.

Two questions are addressed in this paper. First, the literature suggests that a regulatory framework is basic for revenue assignment to local government. This requires political will at national level to promulgate legislation to allow revenue assignment. What are the laws in place to enable the cities to finance the provision of water and sanitation services, how do the cities chose to implement the proposed legal framework?

Second, the discretion in implementing the regulatory framework will be examined to explore how cities' political and administrative leadership is used to leverage significant local revenue. This question explores how cities have restructured and how they manage this municipal function to generate local revenue. The following section compares the Nairobi and Johannesburg water utilities.

Nairobi City Water and Sewerage Company

Nairobi has been able to leverage significant municipal revenue, and now relies on national government to provide less than a quarter of the city's revenue (CCN, 2010). Historically, water and sewerage services have been provided as a municipal function by the city[40]. The provision of this

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[40] Legislation mandating water and sanitation services provision was based on Clauses 178 & 180 of the defunct *Local Government Act* (1963) which proved inadequate to support the city's need for water/ sewerage services.

municipal service was plagued by poor service delivery. The water department was "heavily centralized" with a structure designed in a way that made it *'vulnerable to political manipulation leading to gross inefficiency'* (Sammy 2004: 16). Furthermore the water fund set up to enhance the revenue streams for this function had been depleted by 2001 (NCC, 1998; RoK, 2002a).

Figure 1: Institutional Framework for Nairobi City Water and Sewerage Company

Ministry of Water

Water Resource Management Authority
Water Services Regulatory Board

Water Services Provides (eg: NCWSC)

Consumers - Users

Source: Nairobi Water & Sewerage Company website

A national effort to address issues of scarcity, access, and governance of water resources in Kenya saw the realignment of the institutional set-up in the provision of water services. Central government passed the *Water Act* (2002)[41] whereby the Ministry of Water provides high-level guiding policy and oversight for water management (Figure 1) (RoK, 2002b). The regulations stipulate that water service providers be conveyers of water services and not local authorities as was previously the case.

Within this framework, the Nairobi City Water and Sewerage Company was established in 2003, to provide water and sanitation services to the city. The utility remains a subsidiary of Nairobi County[42]. Operational autonomy ensures that the entity is run as an enterprise to enhance efficiency and service provision. Autonomy also enables the water utility to function without 'political interference'. Management is overseen by an independent board drawn from private sector organizations, professional bodies, civil society and senior leadership of Nairobi County[43]. An important point to note is that, in line with the adoption of the new Kenyan Constitution in 2010 and the 2013 and general elections in Kenya, the utility continues to operate as a municipal function within the above framework (RoK, 2010; 2011).

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[41] Although new legislation, the Kenya Constitution, the *Urban Areas and Cities Act* (2011) which came into effect on 4 March 2013, the regulatory framework for water services is derived from the Water Act (2002) (RoK, 2010; 2011)

[42] Under new legislation Nairobi City Council is replaced by Nairobi County after 4th March 2013 (RoK, 2011).

[43] Previously Mayor; Town Clerk; and Town Treasurer sat on the water utility board, after March 2013 newly appointed Governor and County Secretary and Chief Officer now to represent Nairobi.

A tri-partite agreement exists between Nairobi County, the water utility and Athi Water Service Board that manages the provision of water service delivery in Nairobi. The national legislation requires a service level agreement to be in place between the water utility and water provider, that is annually reviewed with predetermined targets and performance areas to measure service delivery (NCWSC, 2004: 5). Within this framework, water tariffs are annually determined for domestic and industrial consumers. The issues on political oversight in Nairobi for the city and revenue management will be examined further below, in comparison with experience with Johannesburg Water.

Johannesburg Water

Historically, the provision of water and sanitation services was the domain of white local authorities in the greater Johannesburg area including: Johannesburg; Randburg; Roodeport; Edenvale and the Sandton City Councils that raised local revenue from a vibrant economic base through various revenues streams (JCC, 1991; Simkins 1991). These authorities also traded services, including the wholesale domestic and industrial sale of water, electricity and gas[44] to other local authorities. The revenue generated by other local authorities within the greater Johannesburg area was miniscule compared to white local authorities (AG, 1990; Simkins, 1991, Poto, 1989).

The fiscal disjuncture between Johannesburg's local authorities and others in the country was a contentious issue on the path to democracy in South Africa. The local government deliberations that took place alongside the national democratic process acknowledged the need to restructure the fiscal discrepancy between local authorities (CCLGA, 1991; CWMC, 1982; FWG, 1993; JCC, 1990a; 1990b; 1990c). Johannesburg's negotiation and transition phase was further protracted by the restructuring and eventual amalgamation of the diversely resourced local authorities of the greater Johannesburg area[45] (PLANACT 1990, CWMC 1992). In 1993, the Local Government Transition Act (1993) merged Johannesburg's apartheid structures to form a two-tier metropolitan authority of the Greater Johannesburg Metropolitan Council and four metropolitan local councils: Northern, Southern, Eastern, Western Councils. These interim authorities were eventually merged into the City of Johannesburg under a Uni-City structure through the iGoli 2002 and iGoli 2010, the city development strategies adopted by the municipal council to provide coherence after the transition processes (GJMC, 2002). As metropolitan municipality, Johannesburg is mandated to provide municipal services including water and sanitation in parts B, Schedules 4 and 5 of the Constitution (RSA, 1996).

Johannesburg Water emerged from the restructuring process as the premier water and sanitation provider for Johannesburg. At inception, the water utility was managed at arm's length by a

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[44] Trading services now referred to user fees although the intention of providing these services above cost is still retained (Cowden, 1968; Solomon, 1989)

[45] Local government's negotiation and transition to democracy took over a decade of political negotiations and municipal boundary demarcations during the pre-interim; interim and final phases of local government set out in the White Paper on Local Government (1998) (see CODESA, 1990; CCLGA1991; Cameron, 2000; 20053).

consortium to 'streamline efficiency', revenue management, and integrate the disjointed physical and human infrastructure from previous local authorities (JW, 2003; 2004). The utility remains wholly owned by the City of Johannesburg operating with a vision to provide all municipal residents of Johannesburg with adequate water and sanitation services. The water utility remains a significant contributor to the city's revenue (CoJ, 2004; 2005; 2006; 2007; 2008; 2009).

Figure 2: Institutional Framework for Johannesburg Water
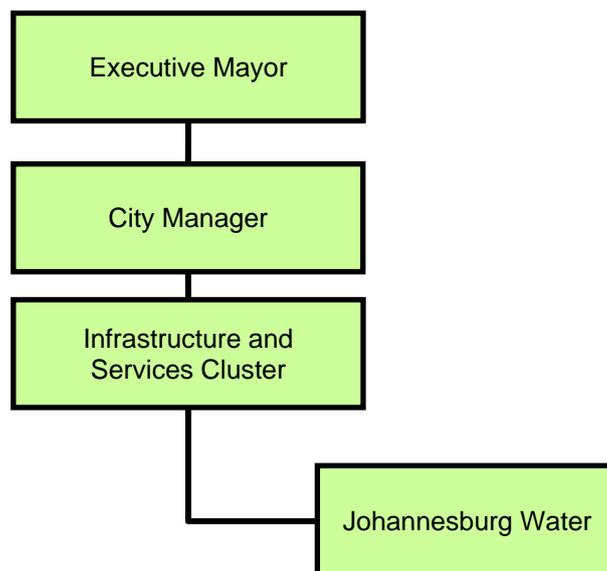
Source: City of Johannesburg, (2008: 13)

Figure 2 shows Johannesburg Water located under the Infrastructure and Services cluster in the city's administrative structure. Thus shows the city maintains oversight, although Johannesburg Water cooperates with Rand Water, at the water board responsible for bulk supply of water. Tariffs are set through the the City budget office as part of the city's annual budgeting processes in line with national treasury guidelines. The revenue function is managed by the city, although Johannesburg Water manages billing for the water utility's top customers (JW, 2001: 9; 2004: 4, 5; 2005: 20; 2010: 19).

Emerging issues

In both Nairobi and Johannesburg the water utilities have been instrumental in streamlining water and sanitation service delivery. Both operational efficiency, and the urban poor's access to water, have improved. However, from a fiscal perspective, several issues emerge as these cities assert local fiscal autonomy, explored below.

Johannesburg Water and Nairobi City Water and Sewerage Company are owned by their respective local governments. Closer scrutiny reveals that the level of independence of each utility differs particularly in the areas of *revenue management* and *political oversight*. As a significant contributor to city coffers, it is important that the customer billing function maximizes the revenue returns. The efficient management of this function enhances the payment levels which in turn enhances local

revenue. Political oversight on the other hand is important for local fiscal autonomy to enhance accountability to local communities. Adherence to the regulatory framework in terms of local fiscal autonomy can then be confirmed, as discussed further below.

Revenue management

For Nairobi Water and Sewerage Company, water tariffs are set nationally by the Water Services Regulation Board (Figure 1). The utility manages the water revenue function, which includes billing of industrial and commercial consumers in the city; revenue collected from the sale of water to consumers is ring-fenced for the utility's expenditure (NCWSC, 2004: 5). While financial ring-fencing is important for developing the utility and water infrastructure, Nairobi County Council's overall management has been curtailed, and the city has lost oversight over the water revenue stream. However, the tri-partite agreement in place between the city, water utility and water service board ensures that the Nairobi County Council receives a much smaller percentage of the water income than previously (Table 1)[46].

Table 1: Ten Year Revenue Trend from City Water Utilities
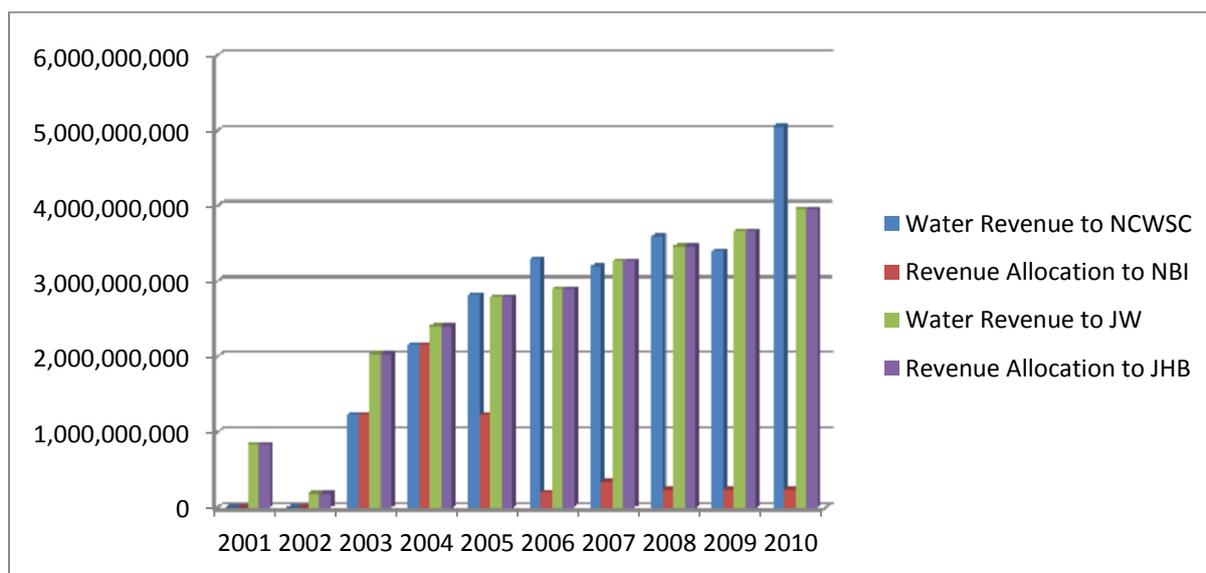
Source: Author[47]

Table 1 compares income to the water utilities in Nairobi and Johannesburg and the respective city councils between 2001 and 2010, the period when significant local government reforms were implemented. In the first two years NCWSC was not been established and services were operated by Nairobi's water and sewerage department, under severe fiscal constraints (MoLG, 2002). In the case of Johannesburg, utility revenue is appropriated so the income remains equal, as the city manages the revenue functions, which limits autonomy of Johannesburg Water (Smith, 2006: 11, 12).

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[46] Nairobi also receives an additional transfer from central government to subsidise the revenue gap since the creation of utility in 2004 (NCC, 2008;2009)
[47] Pooled from Nairobi and Johannesburg audited financial statements from 2000 to 2010.

Table 2 below reflects the revenue management function of the two cities, whereby control of each utility's revenue is compared between 2000 to 2010. Johannesburg Water initially controlled between 15% and 40% the water revenue function (JW, 2001: 9; 2004: 5; 2005:20), as Johannesburg Water managed the customer billing for the top customers from inception until 2010 (JW 2010: 12). Table 2 also illustrates that the City of Johannesburg has finally taken over full control over the water revenue function which includes customer management and billing. This centralised control further erodes the utility's revenue management.

Table 2: City management of Water Revenue function
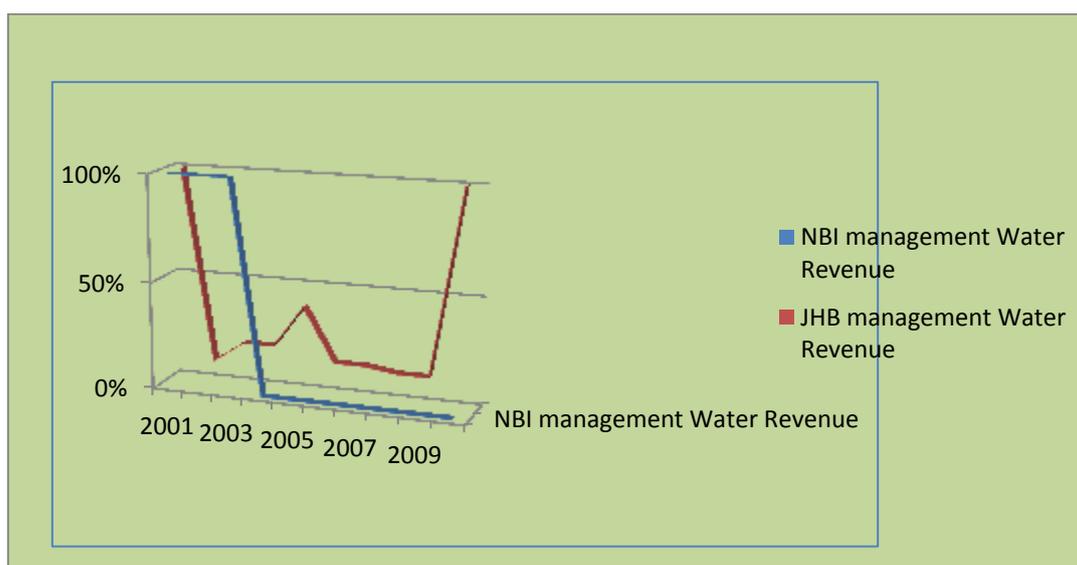
Source: author[48]

Conversely, Nairobi City Water and Sewerage Company as a water utility still independently manages the revenue function as legally prescribed with an annual disbursement to Nairobi County Council. The management of water revenues by the urban government has been severely eroded as a result. Therefore although the water revenue for both cities has increasing, local management of this revenue stream is reflected differently for these two cities.

Political oversight:

Political oversight is important in enhancing local fiscal autonomy, which assumes that overall control of local revenue remains as close as possible to local expenditure for the purposes of efficiency. In the case of Johannesburg Water, the City of Johannesburg continues to maintain political oversight through the political structures of the municipal councils; portfolio committees and engagement with Johannesburg Water's Board. The city's political accountability is also enhanced with increased revenue for redistribution. This has been evident in the provision of municipal services in previously disadvantaged areas as well as improved water infrastructure in various regions across the city that translates to access to a basic level of water services in line with human rights' standards (CoJ, 2005).

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[48] These percentages were pulled from annual reports of both water utilities.

The independent board of directors for Nairobi City Water and Sewerage Company are nominated from the private sector, professional bodies and non-governmental organisations. Political representation of Nairobi County Council constitutes five members on the utility's governance board, which has reduced the city's oversight function on the water utility. This distance from utility acts as a counterbalance to political interference as was the case in the past but, from a political accountability perspective, the city has less revenue for redistribution and has not seen an improvement of water infrastructure in impoverished areas of the city (K'Akumu, 2007: 533).

Conclusion

Local fiscal autonomy remains an important discourse in municipal service delivery for urban governments. City governments are tasked with providing a vast array of municipal services to a diverse and growing municipal population, but it is imperative that local governments have corresponding powers to over local revenue raising and expenditure to enhance efficiency and political accountability.

In the case of water and sanitation services, Johannesburg Water and Nairobi City Water and Sewerage Company are water utilities owned by the city governments of Johannesburg and Nairobi respectively; both cities have seen an upward trend in revenue collection. In the case of Johannesburg although the revenue function is managed centrally by the municipality, to the detriment of Johannesburg Water's customer billing function, the city's political accountability is enhanced as indicated earlier. Nairobi's experience differs in that its water utility independently manages the revenue function and the city's oversight is limited to city representation in the board of directors. This limited political oversight has reduced city interference with the utility's revenue, but also decreased the city's overall accountability in the provision to water services to the city.

The importance of these two aspects of local revenue functions for the cities' local fiscal autonomy continues to highlight concerns over the governance capacity of growing African cities, and how local governments can meet the increasing demand for municipal services in the current period of economic growth. Two questions are key. Do trading services such as water and sanitation remain the exclusive domain of local government, and what are the implications for local fiscal autonomy of the city of different levels of autonomy of water utilities? Secondly, in the increasing debate for revenue assignment and in African cities, does the institutional framework enable central government to erode water revenues of this local function?

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A Lot, But Not Yet Enough - A Call for More Action on Sustainability

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Abstract

The Urban Sustainability Support Alliance (USSA) was a large and multi-faceted NSW wide programme, which was delivered between late 2007 and late 2011, to support NSW Councils in integrating environmental sustainability into their policies, procedures, operations and programs. To support cultural change in 152 government instrumentalities, of different sizes, shapes and demographics, required innovation, connection and credibility. A diverse range of support and development mechanisms was required.

The USSA coined the tag line: Supporting Councils on their journey towards sustainability, and was evaluated in 2011. This paper charts the journey and reports on that evaluation. It describes the USSA program: provides judgments about the value of the programme against its intended outcomes; and identifies formative findings for the future so that the necessary support might continue.

The USSA was a highly successful program, with more than 85% of respondents from almost 80% of Councils in NSW indicating that the USSA had raised the profile of sustainability 'a lot'/'a reasonable amount/some'. Of these, 48% indicated that the effect had been substantial. The evaluation report concluded that the USSA has provided 'a lot, but not yet enough' support to NSW Councils on the journey towards sustainability, and that there is still more to do.

Introduction - about the urban sustainability alliance

The Urban Sustainability Support Alliance (USSA) Programme supported NSW Councils in their journey towards sustainability. The programme was coordinated by the Local Government NSW (formerly the Local Government and Shires Associations - LGSA) and was funded by the NSW Environmental Trust.

In the context of this program, the term 'sustainability' refers to the capacity to meet the environmental needs of local communities, while encouraging current and future actions that aim for

beneficial social, economic and environmental outcomes. At both the local and programme level, this required engagement of a wide range of stakeholders to build strong, effective partnerships to enable long term change.

The USSA was formed by a partnership of organisations that saw immense value in working together to help NSW Councils journey towards sustainability. The organisations representing a unique mixture of both State and Local Governments, a university institution, and a peak environmental body, banded together to form an alliance. The alliance model was particularly attractive to the funding body who had received separate applications for funding from each of the individual organisations. The applications shared a common objective around capacity building for sustainability in Local Government and this was the beginnings of the USSA, and its state-wide focus to improve the sustainability of NSW councils.

The USSA provided advice and information, conducted training and professional development workshops, developed tools and resources, promoted key learning and supported network development, cooperation and partnership between councils and stakeholders.

The USSA offered support to all NSW Councils and this presented a range of challenges; 152 Councils across NSW, meant 152 different approaches to sustainability and civic leadership. These approaches ranged from those had historically ignored the issues, often because of lack of resources or understanding, to others that saw sustainability as the driver of all of their policy, activities and operations. In order to be both relevant and useful, the support delivered needed to be tailored to the individual needs of Councils and their staff, varying in depth and complexity depending on where Councils were on their sustainability journey. Support services offered varied from intensive and active, to lower key and more passive.

Intensive support

Professional development: including in-house training for all Council staff, one-day workshops for regional groups of Councils, skills based train-the-trainer, half day training for Councillors.
Meetings and networks: meetings around a community of practice, on-line forum, specialised membership-only network for leaders, face-to-face meetings and phone advice meetings.

More passive support

Research and resources: Sustainability Health Check, 'How to' learning guides, case studies and an online resource database.
Communication: Email and phone help line, quarterly newsletters, a website and you- tube channel, guidance materials and online information, and networking through sustainable-net[49].

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[49]Sustainablenet is an on-line forum for those interested in sustainability. It currently has 622 Members from Councils across NSW Register online at www.sustainablenet.org.au

For more information about the range of support provided visit the LGNSW website - www.lgnsw.org.au

Support for driving sustainability forward in Councils is a relatively new concept with little data available on what makes an effective support program. Other jurisdictions have much to learn from the NSW approach and here in NSW there is much further to go to ensure that sustainability is central to all Council business. The evaluation of the USSA programme (LGSA 2011) is ground-breaking in terms of its role in assessing the types of support services that are needed to help NSW Councils on their journey.

Sustainability in local government in NSW – a policy context

In order to be effective, the USSA functioned within and reflected a significant public policy context. Council drivers for action on sustainability are many and varied (Pillora S, Blackburn N, Artist S, 2009). NSW Councils are on the sustainability journey for a range of reasons including senior management support especially from the General Manager, Mayor and Councillor Leadership, active and engaged community involvement and local media coverage of global and local sustainability issues.

One driver that impacts on all NSW Councils, large or small, is how sustainability is framed within current legislation. In summary, information is provided below about the relevant legal requirements that all NSW Councils are bound to and how the USSA used this to gain buy-in and support:

The NSW Local Government Act 1993 (Section 7a) states that local government's role is: 'to provide the legal framework for an effective, efficient, environmentally responsible open system of local government in NSW'. The Act (Section 7e) also requires:

> Councils, Councillors and Council employees to have regard to the principles of Ecologically Sustainable Development in carrying out their responsibilities'.

This Act as amended in 1997 (Section 8) also sets out the requirement for a Council to 'properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible in a manner which is consistent with and promotes the principles of Ecologically Sustainable Development' and 'to have regard to the long term and cumulative effect of its decisions'.

In addition, an objective of the Environmental Planning and Assessment Act (1979) is: 'to encourage Ecologically Sustainable Development'. By inference, therefore, planning instruments which are developed under this Act should be founded on the principles of ESD.

A major development during the life of the USSA project was the Local Government Amendment (Planning and Reporting) Act 2009; and section 402 refers to the development of the ten-year Community Strategic Plan promoting all future activity within a sustainability framework that:
- identifies the main priorities and aspirations for the local government area

- establishes strategic objectives together with related strategies addressing social, environmental, economic and civic leadership issues in an integrated manner

- ensures that the Community Strategic Plan is adequately informed through consultation relating to social, environmental, economic and civic leadership issues.

The establishment of long term community strategic planning provided a perfect opportunity for the USSA to engage with Councils on sustainability. The programme was able to help Councils begin to integrate environmental sustainability into their operations, policies and programs. It continues to provide a relevant framework for the future.

Evaluating the USSA – the methodology

This section describes the complex evaluation methodology for the program. It is developed within the context of programme logic (Funnell 1997 and Funnell 2000) and further developed in Rogers 2008.

The USSA was funded to meet eight objectives. For the purpose of the programme evaluation these were restated as six outcomes, constant for the life of the project. Outcomes were framed as a hierarchy as described by Funnel 1997 and Funnel 2000. The intended outcomes for the programme were:

1. The USSA assists Councils in developing, clarifying and promoting an urban sustainability vision and agenda for action.

2. The USSA cultivates networks and alliances of those working to innovate and make change.

3. The USSA identifies existing resources and tools and helps link these to Council's urban sustainability work.

4. The USSA identifies, facilitates, conducts and promotes relevant research.

5. The USSA promotes learning through professional development/training, advice and support.

6. The USSA builds the profile of sustainability work within local government and amongst opinion leaders.

Through the end-stage evaluation process a further outcome was added

7. The need for ongoing support for Local Government in NSW to continue to progress towards integrating sustainability.

The intent of the evaluation was both summative and formative (Funnel and Rogers 2011). Summative, in the sense that it captured and reported on the work that the USSA has undertaken, the role it has played and the impact of that work in Councils; formative, in that the evaluation was designed to inform a case for a continuation of a sustainability support service for Local Government.

The USSA coined the tag line: *Supporting Councils on their Journey towards Sustainability.* Essentially the programme evaluation acted as a marker in that journey.

Because of the complex and long term nature of the program, and the relatively limited resources committed to end stage evaluation, the methodology was purpose built for the program. It comprised two elements, each related to collecting and analysing data against outcomes.

Element 1*: **Continuing evaluation processes*** were undertaken through the life of the program. All programme components were evaluated and the methodology varied depending on the nature of the activity that was being delivered. This range of data was substantial and was drawn together at the end of the programme to inform the Findings. Often this data was provided to the funding body as a part of regular project reporting and parts of it were reported on within the USSA website.

Element 2*: **End stage evaluation*** was undertaken in the final two months of the program. This was necessary in order to obtain additional data so that the Outcomes could be assessed, especially Outcomes 6 and 7. The end stage evaluation methodology used additional data collection tools, namely:

An on-line survey: A survey was developed and Councils were informed about the opportunity to complete the survey by way of a multifaceted and targeted information strategy. The survey was live for a period of four weeks and individual results were confidential.

Focus group/key informant interviews: One specific evaluative focus group was conducted, with participants joining the group via webinar and in person. Membership of the focus group was determined by a random sample selection process where participants were derived from a USSA Excel database of Council contacts across a spread of Councils, metro, regional and rural. In addition, eight key informant interviews were conducted, using the same discussion guide, which extended the data.

Findings – what did the USSA achieve?

This Section outlines the key findings against each of the outcomes for the project. The detailed findings are extensive and impossible to reproduce in detail in this paper. They have been provided to the USSA in an in-depth report (LGSA 2011).

In discussing these findings it is important to acknowledge that the Urban Sustainability Support Alliance [USSA] has had a culture of evaluation since its inception. Most individual support elements were evaluated in an ongoing way, so data was available from the commencement of the program, and is reflected in these findings.

End stage evaluation methods were also well supported, and much of the data reported upon below comes from the end stage methods. In particular, a significant amount of data was able to be gleaned

from the survey because the response rate was high. The following provides a snapshot of survey respondents:

- Two hundred and six Council staff and elected officials responded.
- More than 71% of individual Councils responded [108 Councils], although the percentage response is higher than this, given that three Regional Organisations of Councils also responded and represented the views of their 32 member Councils.
- Responses were received from a range of Councils (Graph 1).

Graph 1. Survey responses: participating Councils
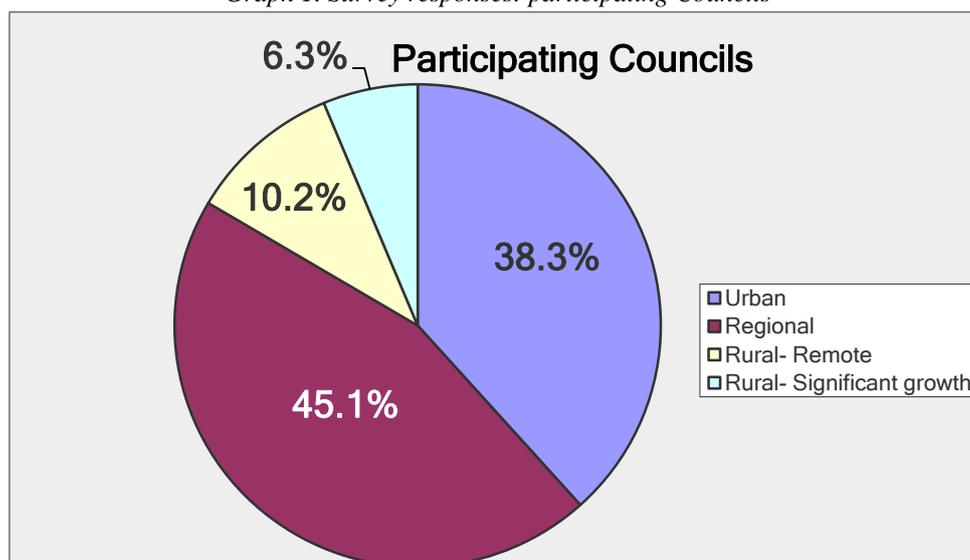
Only 1.9% of the responses came from elected officials. Staff across a range of Council functions provided data, with most drawn from the environment sections of Council, as follows:

o	Executive	8.3%
o	Planning	15.0%
o	Operations	0.5%
o	Compliance	0.5%
o	Engineering	6.3%
o	Community Services	1.5%
o	Environmental/ Sustainability	53.9%
o	Administration	2.4%
o	Other/misc	11.7%

Finding re Outcome 1. *There is evidence that the USSA assists Councils in developing, clarifying and promoting an urban sustainability vision and an agenda for action.* The USSA has had a significant level of influence on progressing sustainability in local government:

> *It was catalytic through its presence and the activity that it made happen.* (Council respondent from key informant interview)

As indicated in Graph 2 below, more than 85% of the survey respondents indicated that the USSA had raised the profile of sustainability 'a lot'/'a reasonable amount'/'some'. Of these, 48% indicated that the effect had been substantial ('a lot').

*Graph 2. Building the profile of sustainability*
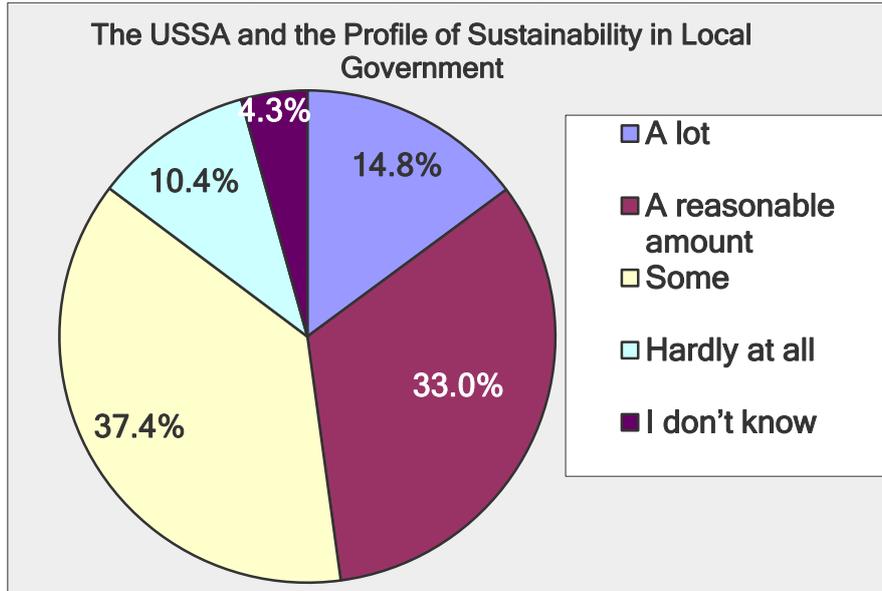
Almost 50% of respondents felt that their Council had made a solid beginning in the sustainability journey. A further 23% were of the view that their Council was 'quite advanced'/'very advanced'.

Table 1. The Sustainability Journey

I am not even aware there is a journey in my Council	1.0%
My Council is interested but they have not done much	7.7%
My Council has only just begun	18.6%
My Council has made a solid beginning	49.5%
My Council is quite well advanced	17.0%
My Council is very well advanced	6.2%

According to the survey respondents the USSA was of value, as indicated in Graph 3 below:

Graph 3. Value of the USSA
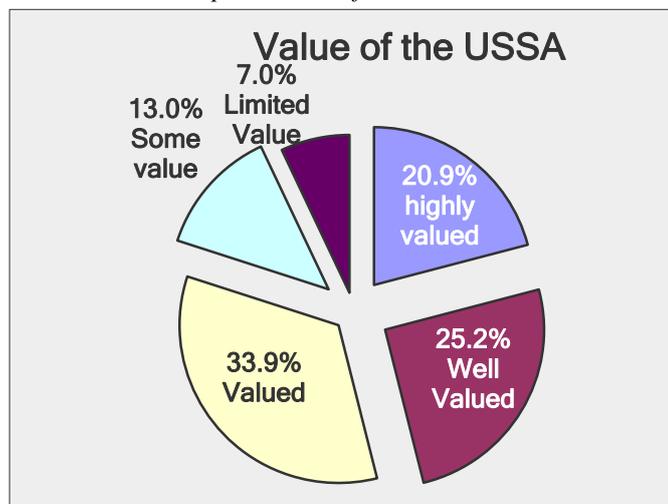
These are encouraging results and demonstrate that according to those in local government, sustainability is on the agenda – movement is happening.

Finding re Outcome 2. *There is evidence that the USSA cultivates networks and alliances of those working to innovate and make change.* There is evidence that the USSA enhanced networking about sustainability. Graph 4 details the views of Council staff about the extent to which the USSA supported the networking process.

Graph 4. USSA and Networking
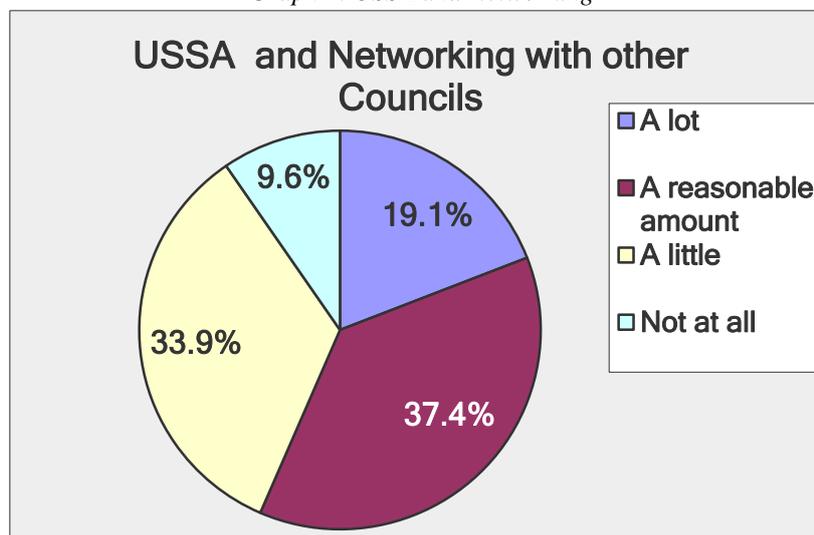
The integrated nature of the USSA added value. For example one respondent said that: *In-house training helped add value to Council's staff sustainability programme (Green Champions) and the whole programme provided additional credibility and tools for spreading the sustainability message across Council.* Sustainablenet continues to thrive as the network of choice for those interested in sustainability to share their understandings and ask questions of their peers.

The USSA delivered events and networks that enabled people to meet and communicate – to share ideas and approaches to integrating sustainability within Council business. For example: *All the USSA events provide opportunity to meet and reconnect with staff at other Councils across Sydney, who we otherwise may not have ever met or exchanged ideas with. Local government needs cross-fertilisation between organisations to drive innovation and cultural change* (focus group participant).

The following quote from a regional Council manager adds weight to these results:

> *I found the USSA highly valuable in my work on our Urban Sustainability Grant program. The cluster meetings, research material, ten tips etc. were especially useful at providing opportunity to share projects and key learning and generate ideas and discussion on existing and future projects. It was also helpful having the USSA there to discuss issues surrounding reporting and project planning which is a significant part of my program.*

Finding re Outcome 3. *Significant evidence exists that the USSA has identified existing resources and tools and helps link these to Council's urban sustainability work.* Particular resources and tools provided by the USSA moved Councils forward. For example, the experience of one Sustainability officer was that:

> *The training was powerful for managers and helped them to set up financial and environmental sustainability together. Before that, people were not at all fussed about sustainability.* Another said: *Your programme has assisted the smaller Councils in our area.*

Since your programme has been running, these Councils do not seem to rely as much on the larger Councils to get information. I attribute this to the support being available through the USSA program.

Table 2 below indicates the extent of this engagement with various resources and tools across a four point scale – note the total sample size of local government staff for this data is 115 (a sub-set of the total survey sample). The breadth of the programme means that it is almost impossible that any single Council (respondent) will have engaged with all elements of the program.

In drilling down, it is of note that over 75% of all rural respondents had had no engagement with the research publications. Similarly a significant number had not engaged with the USSA website or guidance material and this provides room for more activity in the future.

Table 2. Extent of engagement with various elements of the USSA programme

Answer Options	Considerable engagement	Some engagement	A little engagement	Not a lot of engagement
Sustainability Training delivered by the USSA in my Council or ROC	19	44	20	32
Network meetings coordinated by the USSA e.g. Business Network meetings	8	30	24	53
Sustainability Health Check	19	31	31	34
Regional workshops offered by the USSA for example: Sustainability Planning workshops	15	37	23	40
The Ten Tips series of publications	6	30	31	48
USSA Case studies	14	40	33	28
The Sustainability Tools Selector workshops	23	43	20	29
Research materials for example: Barriers and Drivers Report	15	30	28	42
The USSA website	19	44	32	20
The USSA newsletters	24	50	24	17

Finding re Outcome 4. *Evidence exists that the USSA identifies, facilitates, conducts and promotes relevant research which is of value to local government.* The research aspects of the USSA were valued and reflected upon positively by those who engaged with this part of the program, although this element of the programme was probably less known than others.

There is evidence that some publications were highly valued and really made a difference – in particular the University of Technology Sydney Institute of Sustainable (2009) *Barriers and Drivers to Sustainability in Local Government* Report. One key informant respondent said:

The Drivers and Barriers [sic] in the Sustainability document were so accurate to the situations faced by many Council officers and provided 'tried-and-tested' methods of getting past barriers.

Members of the focus group supported this view, rating this publication highly.

The *Sustainability Tool Selector* (Pillora S, and Blackburn N, 2009) seemed much more appropriate and useful to more advanced Councils, but was not used much in Councils at the earlier stage of their journey. Feedback ranged from: *Sustainability Tool Selector - great to find out which tool to use when, what their uses and limitations are and how Councils have used them,* to: *this is beyond my Council's needs.* It is notable though, that the Tool Selector workshops were well attended across NSW, and evaluated positively; for example, 90% of participants could identify how they had or would use the 'Selector' to progress their sustainability work.

Finding re Outcome 5. *There is significant evidence that the USSA has promoted learning through professional development/training, advice and support:* For almost all of the 2,076 local government personnel who attended USSA training during the life of the project, feedback was highly positive; one respondent, reflecting the views of many, said that: [training was]

Fantastic and a very valuable mechanism for pushing staff towards sustainability. Another commented: *The training has given our sustainability programme a significant boost. It would probably take some years to achieve that level of communication and support for sustainability without the training.* Another said: *I think it [*sic, the training*] is of very high quality and I feel that it is robust because it encourages Councils to use their own examples of what has and hasn't worked. It's based on real experience, not just training based on theoretical situations.*

Participants were of the view that: Workshops provided sharing, brainstorming, networking opportunities that built on the web based resources important role in keeping sustainability on the agenda - building the profile and importance of human resources to drive these internally.

While more detailed data about the response to the training is available, it is difficult to provide detail in this paper because a number of different professional development programmes were offered through the USSA. Staff at all levels of the Council were engaged in purpose-built and relevant training.

Canada Bay City Council Training   Operations Staff Training – Nambucca Council

Some snapshot findings are:

- For the In-House Training, 41 Councils undertook programs, 78 workshops were delivered and 1,078 staff participated. All participants in all workshops demonstrated a shift towards a greater understanding of sustainability, identified actions that they would undertake as a result of the workshop and indicated that they were 'very' or 'highly satisfied' with the training.

- Councillor training involved the delivery of five workshops and 86 Councillors participated. All Councillors attending these workshops reported increased levels of understanding of ESD/sustainability and increased appreciation of Council best practice.

- Councillors indicated that they were committed to getting more involved in sustainable issues, championing sustainability in the community and assisting councils to improve sustainability performance.:

- The Evaluating Sustainability Programme involved 96 participants at six workshops. Ninety four percent of participants reported a positive shift in their knowledge of outcomes hierarchies and programme logic and that they would use information gained from the workshops in their future work

- Sustainability Health Check training involved seven Councils and 105 participants. As a result of the training:

  - 89% of participants feel the SHC can assist Council to promote cultural change
  - 95% of participants feel the SHC can encourage the analysis of Council's policies, systems and practices
  - 71% of participants feel the SHC can improved governance
  - 78% of participants feel the SHC can enhance Council's role in building and engaging community awareness
  - 92% of participants feel the SHC can help promote a culture of sustainability across the organisation.

A challenge for the future is that staff and elected officials from over 100 Councils did not have the opportunity to attend in-depth training that was offered through the USSA program. There is much professional development still to be done.

Finding re Outcome 6. So*me evidence exists that the USSA has built the profile of sustainability work within local government and amongst opinion leaders.* People value the USSA. From the survey, 21% of respondents valued it 'very highly' and a further 56% were 'very positive'/'positive'. Almost 3,000 Council staff/elected officials have personally come into contact with the USSA through face-to-face training/workshops and network meetings during the life of the program. Many more have accessed the USSA materials, the website etc. and engaged though Sustainablenet and other on-line activity.

Eighty six Councillors from across NSW also attended one-day training workshops, run through the LGSA's Learning Solutions program.

As one focus group member said, the USSA: *raised the bar on sustainability with our opinion leaders.*

Finding re Outcome 7.*There is a need for ongoing support for Local Government in NSW to continue to progress towards integrating sustainability*. The evidence supporting this finding is very strong. There has been no suggestion that the job is done and Councils have completed '*the journey'*. Even among those Councils where respondents to the survey indicated that their Council is 'quite well advanced'(17%) or 'well advanced'(6%), there was no sense support was no longer required. Most Councils though, are not at this level. In the on-line survey, 50% of respondents said that their Council had *'made a solid beginning'* – a further 27% rated their Council at a lower level than this. No data at all is available from some 20% of Councils who did not respond to the request for input into this particular evaluation process. For Councils at the earlier stage of the journey there is significant evidence that continuing support is required. The following quote summaries the views of many**:**

> *I hope that it is possible to either continue the USSA in its current form or similar, as I think local Councils need the support of a body such as this. As I mentioned earlier, most Council staff I know are keen and able to consider sustainability as a higher priority than it is currently but need support and advice in how to shift attitudes and views of executive management.*

Smaller Councils have particular needs for support and there are significant findings about options for providing this level of support more appropriately. Often the problem is not with the commitment to sustainability but with its practice:

> *In smaller Councils we are not lacking the ideas - we are not lacking the commitment or the willingness. We're lacking the people and the dollars.*

Clearly the programme was effective but as indicated in the title of this paper, it provided 'a lot but not yet enough'.

Conclusions

The USSA was developed from scratch, in the absence of other models and examples of support structures for sustainability related organisational change in local government. When viewed within this context the results of the support processes delivered by the programme are exceptional. It is clear that the USSA really made a difference; it connected with local government staff and promoted cultural change, together with an improved understanding of sustainability and changes in policy, operations and procedures. This was much beyond the traditional Council roles of rates, roads and rubbish.

The evaluation of the programme makes it clear that the uptake of sustainability is not consistent across all Councils. In this respect there is much remaining to be done; the public policy and legislation is in place, but cultural change of this level takes time, capacity and resources. There remain significant issues for Councils with a limited rate base, and resourcing issues for Councils obviously have an impact on uptake.

The recommendations from the evaluation report point to a number of key activities for the future, that are required to further progress the integration of sustainability. These include: specific interventions with smaller Councils with a limited rate-base; more training, and establishing a network for Councillors are important. Increased opportunities for Councils to learn from each other via mentoring or other approaches; more case studies and other examples of effective practice are also an important part of the mix. Most Councils still need the opportunity to engage with Quadruple Bottom Line {QBL] thinking and planning, and the future should provide them with a supported opportunity to do this.

The journey continues.

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POLICY & PRACTICE

Enhancing health service delivery through a University - Local Government partnership model, issues and experiences from Uganda

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Abstract

A number of approaches have been adopted in medical education geared towards training health professionals that can improve access to health care by communities most vulnerable to inequalities and injustices in health systems. Relevant health professions education is vital for improvements in health and health care access. A symbiotic medical education can improve the quality of health care and impact on career choice, yet the challenge to sustain equitable access to improved health and healthcare particularly for those most in need remains a major global challenge (Ssewankambo, 2012). Within a decentralized system, such as in Uganda, Local Governments are mandated to ensure health promotion and equitable healthcare for the population under their jurisdiction. Whereas public service reforms have mainly focused on decentralization and good governance (Mamdani, 2012, Stiglitz, 2012), the role of curriculum reforms in addressing health and health care challenges through needs-based education of health professionals has been largely ignored. Through an analysis of the challenges of health care within a decentralized Local Government setting, this paper, by presenting experiences from one public university in Uganda, reveals how a partnership between Universities and Local Government can go a long way in addressing health disparities and reduction of morbidity and mortality.

Key Words: health care, reforms, decentralization, education, Uganda

1. Background

A number of approaches have been adopted in medical education geared towards training health professionals that can improve access to health care by communities most vulnerable to health systems inequalities and injustices (Curran and Rourke 2004; O'Toole *et al*. 2005; Rabow *et al.* 2007). The most prominent of such approaches is probably Community Based Education (CBE).

The CBE approach first emerged during the 1970's in response to population demand for needs-based education. At the core of CBE was a paradigm shift away from viewing universities as ivory towers.

Previous frameworks for CBE have included a taxonomical classification (Magzoub and Schmidt 2000) or educational objectives based on core competencies (Kligler *et al.* 2004). An integrated

partnership between policy makers, health managers, health professions, academic institutions and communities, using a pentagonal model, has been advanced as a transactional model and part of the Towards Unity for Health agenda (Boelen 2000).

Contextually, Mbarara University of Science and Technology (MUST), Uganda's second public university to be opened, at its inception in 1989 embraced CBE as the philosophy for health professions' education within the Faculty of Medicine. The purpose was to establish a curriculum which would facilitate the interaction between the local communities, University lecturers and students, to make them more directed towards the prevailing and emerging needs within Uganda and beyond. Progressively, CBE has been adopted across all Medical Schools in Uganda. MUST continues to tailor its curriculum towards the emerging health and health care needs and demands.

Theoretical background

Relevant health professions education is vital for improvements in health and health care access (Alwan and Hornby 2002; Maharaj, 2011). A symbiotic medical education can improve the quality of health care and impact on career choice (Worley *et al.* 2006), yet the challenge to sustain equitable access to improved health and healthcare particularly to those most in need remains a major global challenge (Kirigia 2007; Jeppson, 2005). Educational preparation is also a key factor in the sustainability of healthcare practice (Curran and Rourke 2004). The model of medical training at MUST is focused on community based medical curriculum, rural practice and experiences, faculty values and attitudes. The training is based on interactive problem solving, co-learning approach.

Inequitable access to healthcare is still surprising within developing countries. As an example, while remarkable medical advances have been attained at global level, there is an emerging health crisis in sub-Saharan Africa; and it is almost certain that health-related Millennium Development Goals (MDGs) will not be met with work force shortages being a major factor (Dovlo 2007; Magda 2007; Verhallen *et al.* 2006; WHO 2000)

In most sub-Saharan countries, the health workforce is over-stretched (Jeppsson 2004; Marchal *et al.* 2005). Chronic deficiencies in training capacity, distribution and skills mix, and retention in the medical and caring professions have left the health services with narrow margins to cope with new challenges (Aitken and Kemp 2003; Huddart *et al.* 2003). An inadequate health work force has resulted in a complex situation for rural populations, with a demand for need-based approaches in the education of health professionals (Neufeld *et al.* 1995; Ssengooba etal, 2007) based on the socio economic changes of recent years and resulting health care demands (Cauley *et al.* 2001), a situation that demands scientific inquiry.

Elsewhere, Zink *et al.* (2008) have explored how new theories of learning have prompted significant changes in medical education in the United States. Medical educators have responded with curricula

reform that includes active learning, problem-based learning, and small-group case-based learning −
local communities and health care workers have in effect become medical educators. This has resulted
in expansion of the definition of clinical education and impacted on new career decisions.

Context

From the 1990s to 2009 the CBE model at MUST laid emphasis on service learning, represented in
the acronym COBES (Community Based Education and Service). During 2010, there was curriculum
review that incorporated aspects of leadership and put more emphasis on research. Coincidentally all
the medical schools in Uganda chose to come together under the MEPI-MESAU consortium in order
to build synergy in addressing the prevailing health and healthcare bottlenecks in the county using an
educational approach.

At MUST, CBE has grown in its depth and scope through providing the Leadership and Community
Placement (LCP) course using a multidisciplinary approach. The course is geared towards instilling
leadership knowledge and skills and Primary Health Care management essential for confronting the
health challenges of the 21st Century. Students are expected to gain the essential skills and tools
required for playing a leadership role in their work environment. In addition to the grounding in
primary health care, community diagnosis, health systems and family medicine, students are
introduced to leadership and management. A cross-cutting learning outcome is 'health managers who
lead' for effective implementation of Primary Health Care and Uganda's minimum health care
package. It is also expected that students will have developed a positive attitude towards working in
rural / community placements, in turn contributing to the mitigation of health disparity and addressing
access, acceptability and affordability of health services.

Systematically, the paper models the Community Based Education (CBE) approach at MUST. The
methodology is presented below. The paper describes the conceptual framework that enables
understanding of both the experiences and challenges experienced by using such an approach.
Strategies to address the challenges of CBE are provided by defining how curriculum review towards
sustainability of the transactional model has been achieved through interactions between the
University and health facilities, within a local government context in order to impact on community
health and health care needs.

2. Methodology

This paper was developed from a theoretical literature review of CBE experiences and their effect on
equitable health care. Through a comparative analysis of how CBE has been conceptualised in
different settings in comparison with experiences from Mbarara University of Science and
Technology (MUST) - Uganda, a conceptual transactional framework of CBE is presented by the

author. Content analysis as proposed by Neuendorf (2002) was employed to generate themes derived through a review of community based education reports.

3. Transactional framework of CBE

The CBE program is enhanced through a *transactional relationships* illustrated in Figure 1 below with the students at the centre, with its origins in developmental psychology (Sameroff 1975). The transactional model of CBE illustrated below has three key features:

1. Communities are at the centre
2. The triangle indicates that all three components 'external' to the communities influence each other directly, but their relationships are mediated by the communities they serve.
3. The two-way arrows do not symbolise an *interaction,* in which partners have a dialogue but keep fixed views and positions, but a *transaction* in which partners change as a result of the process of their involvement with each other.

Figure 1: Transaction framework for CBE
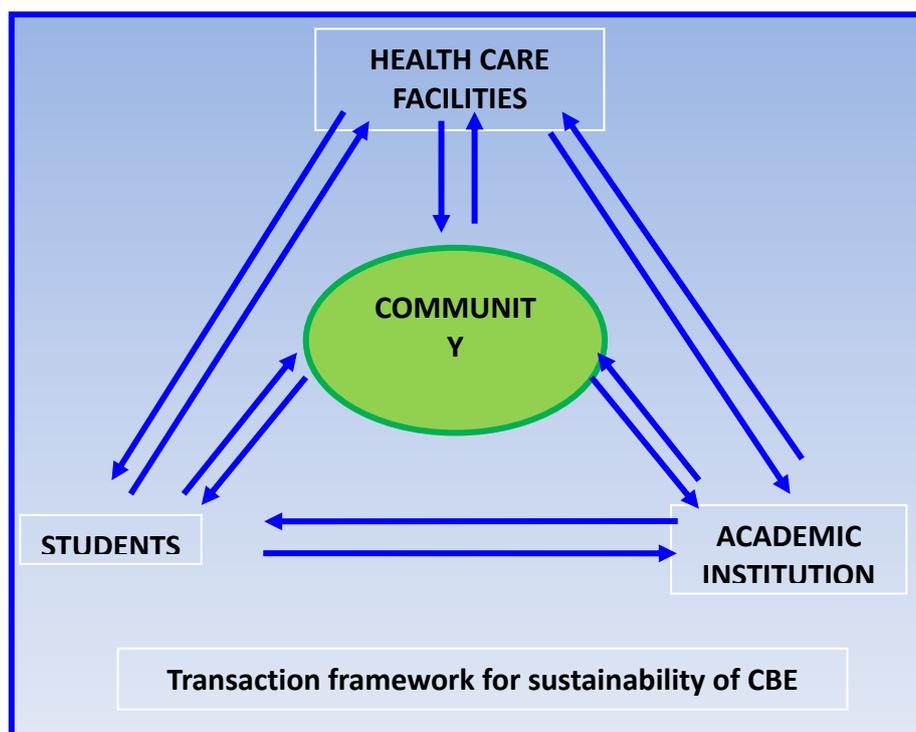
To illustrate the use of this model, CBE is a platform that ensures ongoing interaction between the academic institution, healthcare facilities and students all aimed at targeting improvements in the community. The transactional model represents a dynamic process, and a justification is given below.

Justification of the transactional model

Access to quality education and health care is a human right, however health challenges and bottlenecks within developing countries remain on the rise (Brenner *et al.* 2004; Chambers 1994; Rigoli and Dussault 2003; WHO 2000), and emerging advances and health interventions are

disproportionately targeting the already better served urban areas (Dovlo 2007; Hickey 2005, Jeppson, 2004). Rural areas have found themselves coping through recruitment of semi-trained and untrained health professionals. Whereas promotion of community participation in health promotion is recognized as a strategy for improved health of populations (Carney and Hackett 2008; UN 2001; WHO/UNICEF 1978) relegation of healthcare to untrained populations can be hazardous. CBE presents an optional strategy to mitigate this situation.

Education and training of health professionals should be aligned with the national development plans, including national health plans and human resources for health plans as well as community health needs. Such integrated planning will make it more practical to allocate resources for health development across other sectors including education, public service and finance. The graduates of health training institutions will be able to get promptly recruited in the services and communities where they are most needed. Health training systems should be linked to health services delivery systems so that by the time the graduates complete their training, they are fit for purpose and able to perform amongst their communities. Educational and community-based programs and strategies play an important role in reaching underserved communities. Over the next decade, such strategies will continue to contribute to the improvement of health outcomes (Gamm *et al.* 2010). Education and community-based programs and strategies are designed to reach people beyond traditional health care settings., for example in schools, work sites, or communities.

Each setting provides opportunities to reach people using existing social structures. This maximizes impact and reduces the time and resources necessary for programme development. People often have high levels of contact with these settings, both directly and indirectly. Programs that combine multiple − if not all 4 − settings can have a greater impact than programmes using only one setting. Using non-traditional settings can help encourage informal information sharing within communities through peer social interaction. Reaching out to people in different settings also allows for greater tailoring of health information and education (Gamm *et al.* 2010).

Education and training of health professionals could be aligned with national development plans, including national health plans and human resources for health plans as well as community health needs. Such integrated planning will make it more practical to allocate resources for health development across other sectors including education, health, public service, local government and finance. The graduates of health training institutions will be able to get positions in the services and communities where they are most needed. Health training systems should be linked to health services delivery systems so that by the time the graduates complete their training, they are fit for purpose and able to perform on location among their communities.

4. Challenges of implementing CBE

Mission and purpose

Academic institutions have priorities in research and teaching; health care facilities have a primary role to improve the health of local populations. Although a number of local health care staff acknowledge that teaching and research are part of their role, they find such tasks difficult, citing lack of training or time. Academic staff may not wish to help with local health care when they perceive no direct benefit to themselves or their institution.

Separate organisational accountability

MUST and its associated teaching hospital are funded by and accountable to the Ministry of Education and Ministry of Health, whereas other local health care facilities are funded and accountable to local government. Prior to the decentralisation policy (Republic of Uganda1999) local health facilities were funded directly by the Ministry of Health. Transactions have been successful due to goodwill on all sides − despite organisational arrangements rather than because of them.

Health service policies and delivery

Uganda has national policies which have enabled local health services to operate in an integrated and rational approach to common health problems. "Vertical" programmes such as anti-retroviral therapy for HIV/AIDS, whilst very welcome, impose additional stresses on the transaction between health care facilities and the academic institution.

Health service reorganisation

The management of some of the Lower level health facilities such as Rugazi Health Centre were transferred from Mbarara University to the district health authorities in 2001. This was originally perceived as a potential threat to the continuity of the CBE programme based there. In fact it has been a major benefit as there has been an expansion in staffing and better links with lower health facilities.

Health care facilities with students

Most health care students have experience as service users before they start their undergraduate studies but are more familiar with hospitals than rural clinics. Students report a relative lack of resources and may feel unable to function well without the variety of investigations and treatment that is available in their base hospital. Time spent working alongside local health staff leads students to understand and respect the clinical skills, management and referral strategies used in peripheral sites. There are opportunities for students and their supervisors to offer suggestions about clinical management strategies to local health care staff.

Whereas some of the health facilities such as Rugazi Health Centre are equipped with facilities for student teaching and accommodation, lower tier health facilities have not been designed with student

teaching in mind. Securing suitable living accommodation for students close to local health care facilities is a major challenge.

CBE raises community expectations and demands which when ignored lead to fatigue. The result of this is an increasing demand for healthcare providers against limited resources for training. Whereas CBE contributes to responsiveness of the health care system, unless the policy framework is built on addressing the needs of the most deserving populations through, for example social security and insurance schemes, access to healthcare cannot be meaningfully addressed. It is recognized that MUST requires additional resources to further upgrade its curriculum. The undergraduate curriculum should be geared towards strengthening of evidence based education (research on Medical Education), development of a skills laboratory and exploring training undergraduate students using other hospitals in the region in addition to Mbarara Hospital in order to keep pace with the increasing population needs and demands.

5. CBE transactions – bringing it all together

In order to expedite the alleviation of health disparities through an educational model, MUST integrated the Leadership Development Program (LDP) into all its undergraduate curricula including CBE in 2009. The LDP course employs a multidisciplinary approach to understanding and addressing of health care challenges in practical community settings. The course is geared towards instilling leadership knowledge and skills essential for confronting the health challenges of the 21st Century. Students are expected to gain the essential leadership and management skills and tools required for playing a change role in their work environment. In addition to the grounding in primary health care, community diagnosis, health systems and family medicine, students are introduced to and participate in leadership and management.

The LDP Course:
- introduces students to leadership and management in health and the tools required to identify the main health challenges within their area of influence;
- familiarises students with the tools required to focus on priority areas for intervention;
- introduces the tools, skills and techniques required to create solid, logical and coherent action plans that guide students towards achieving measurable results;
- equips students with the tools and techniques for aligning and mobilising populations to address health care challenges;
- introduces the learners to the tools, techniques and strategies for inspiring, and inspired leadership, to address existing and future health care challenges ;
- trains students in communities and rural health units under conditions similar to those in which they will eventually work as qualified doctors;

- enables students and community members to interact and learn from each other in order to appreciate each other's role in health care and delivery.

A simple core tool used on the course is the challenge model, briefly described below.

The challenge model

The LDP is organized around the challenge model. The challenge model offers students a systemic approach for working together in multi-disciplinary teams of 6-10 at each placement site to identify one priority health challenge and achieve results as illustrated in the picture below.

The challenge model enables student teams to:

- create shared visions related to the community health challenge they have prioritized;
- agree on a measurable result that the team plans to achieve related to the chosen health challenge;
- assess the current situation by scanning both the internal and external environment. By this the students determine the accurate baseline of the health challenge they will tackle;
- identify obstacles and the root causes: students identify the obstacles that they must overcome to reach a measurable result and carry out a root-cause analysis to identify the underlying causes of obstacles;
- work with communities and stakeholders to define priority actions to address the health challenge;
- involve communities and stakeholders in addressing community health challenges.

Students are placed within different host communities. Particular emphasis is on the needy hard-to-reach areas. They also reside at and participate in host health facilities. Students rotate and participate in the health-facility based activities during the mornings and participate in understanding and addressing prevailing and emerging health problems within the communities during the afternoons where applicable, guided by the course guidelines. The students are required to learn and understand the constraints and opportunities that retard or promote good health in the community. They appreciate that communities have the potential to identify and provide solutions to many health problems. Their work should involve, but is not limited to the following broad areas: health systems, child health, growth and development, nutrition, communicable disease control, environmental sanitation, obstetric and surgical care, use and misuse of common drugs and health education. Together with host communities, students identify and prioritise community health and health care issues. They carry out community meetings / seminars and home visits and facilitate discussions on preventive aspects of health care. An added incentive is practicing in a Rural Health facility setting in order to understand constants of rural health and healthcare.

Strategy

During the community-based activities phase, teams share with each other and with the host health-facility personnel what they learn throughout the process of implementing their Leadership Project. The course is assessed by MUST Faculty supervisors, in conjunction with Site Supervisors, who play the role of mentors and coaches / tutors to the teams and are expected to meet regularly with students, to review the LDP course content and to support progress. The MUST faculty is expected to constantly follow up the performance of individuals and groups through writing a performance report at every visit. On finalising the community based activities students are expected to present a report, assessed by the faculty that attracts marks that will feature prominently on the academic transcript. The coaches support student teams to prepare the final-results presentation. The course is assessed through group presentations and activity reports.

Course outputs and outcomes

The LDP course has led to the development of a number of student-led projects across the 30 rural health facility sites within south western Uganda where students undertake the community placement. Students are increasingly motivated by participating in competition for the best prizes, for example the Hillman Medical Education fund. The LDP course has also provided a platform for collaboration with education and healthcare stakeholders most particularly the local government authorities and host health facilities.

Conclusion

Previous frameworks for CBE have included a taxonomical classification (Magzoub & Schmidt 2000) or educational objectives based on core competencies (Kristina *et al*., 2005). An integrated partnership between policy makers, health managers, health professions, academic institutions and communities, using a pentagonal model, has been advanced as part of the Towards Unity for Health agenda (Boelen 2000). However a simpler framework, with communities at the centre, has more resonance and explanatory value in a rural African setting. Practitioners of PHC in Africa are familiar with the image of the cooking-pot supported by three stones used in discussions of nutrition − the pot can only balance if all three stones are present. The CBE framework resembles the cooking-pot analogy. It represents a dynamic system, providing a stable base like the three stone fireplace but constantly developing. 'Transactions' are relationships between people in an enterprise which involve mutual change. Those involved in CBE should expect to welcome and enjoy transactions, experiencing change and development as they learn from each other.

Examples presented illustrate that when communities are at the centre the links between the other components of the framework become stronger. It is suggested that the triangular transactional framework involving students, lower health facilities and academia described above is a useful way of perceiving the challenges to sustainability of CBE which could provide impetus to quality health care within local governments in a most sustainable manner.

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Panchayati Raj and Dalits in India: A Post 73rd Amendment Scenario

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Abstract

This paper is a scholastic enquiry on the politics of the marginalised, with special reference to Panchayati Raj institutions in the milieu of the Post 73rd Constitutional Amendment Act in India. It is a product of my theoretical reading and field based observations in the process of pursuing PhD in Political science the area of Dalit participation in Panchayati Raj institutions.

Introduction

Providing constitutional status to the local bodies through the 73rd Constitutional Amendment Act (73rdCAA hence forth) was a milestone in Indian politics. This write up focuses on reservations (protective discrimination) for the marginalised (Dalits) elected to positions in Panchayati Raj institutions across India. This observation becomes relevant as the 73rdCAA envisages evolving these institutions as agencies for planning and implementation of activities for 'economic development and social justice'. The 73rdCAA, though hailed as a landmark act with empowerment content, is fraught with difficulties.

According to George Mathew the 73rdCAA brought two major changes in the Indian political System.[50] First, democratic decentralisation was further extended in the country with the creation of 250,000 Gram Panchayati, 6,000 Panchayati Samithies and 500 Zilla Parishads. Every 5 years, 3 million public representatives are elected, and – as required in the act – these include around 1 million women (33%), 660,000 Scheduled Caste members (14.3%) and Scheduled Tribe (8%) members whom became representatives in the local Government strata. Second, changes occurred due to the creation of numerous Local Bodies (local governments), and the Indian federal system was transformed into a multi-federal system as a result of 73rdCAA. (Mathew, 2000) The Act created

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[50] George Mathew discussed the impact of constitutional amendment from the perspective of reservations (affirmative action) of elected positions of Panchayats, and from the statutory provisions. For more elaborate discussion see George Mathew 2000, p.10

11th&12th schedules which listed subjects to be devolved to Local Bodies, creating a sense of *'constitutionalised devolution'* (Reddy, 2000).

In fact the numbers do not reflect the political reality on the ground (Sudarshan, 2011). The participation of marginalised groups is a mere statutory formality and in essence, in various ways, the marginalisation is compounded. This disjunction between the numbers and the essence can be understood by analyzing the Indian socio-political process and perspective.

Romanticism and reality of 'Little Republics'

The concept of Panchayati Raj Institutions (PRIs) was heavily influenced by the ideal of Indian village as 'little republic".[51] This romantic description of village was propagated by colonial administrators, such as Charles Metcalf, Henry Main, and also by the stalwart of Indian freedom struggle, Mohandas Karamchand Gandhi (Mahatma Gandhi) [52](Jodhka, 2012). This view transformed in to 'Gram Swarajya[53]' (Gandhi, 1942) and was vividly discussed, influencing the constituent assembly. But this romanticism was negated by Ambedkar, Marx[54], and Mc Kim Marriot. They emphasised the unequal stratification of Indian social order as exclusionary and anti-democratic. The echo of those debates can be heard in the rumbling of the 73[rd]CAA and the contrasting ground reality.

73[rd]CAA and Dalits

Constitutionally Dalits[55] have become equal voters and secured some seats but their influence on polity is insignificant. Similar exclusion is also reflected in local government bodies. Many attempts have been made to promote inclusion from the 1957 Balwantrai Mehta committee promote inclusion[56] (1959) to the 1002 73[rd]CAA, but with little impact on the living conditions of Dalits.

The discriminatory caste system ill-treated and marginalised millions of Dalits. That was the reason why Dr. B.R. Ambedkar , speaking in 1995, was critical of the PRI System which he thought would inevitably strengthen the hold of dominant castes directly or indirectly in rural areas (Ambedkar 2005). Many struggles and movements were waged on social and political fronts against this inequity and discrimination in various parts of India from the mid-1960s to the late-1980s. These movements

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[51] Dr. B. R. Ambedkar viewed ancient 'village republics' as inequality and undemocratic. In the Constituent Assembly debates on 4th November 1948 his remarkable statement is that "what is village, a sink of localism, a den of ignorance, narrow mindedness and communalism".

[52] To understand the 'romantic',' modernist' and 'social exclusion' perceptions of Gandhi, Nehru and Ambedkar respectively see Surinder.S.Jodhka2012

[53] The idea of *Gram Swaraj* was proposed by M.K Gandhi in and was popularized as frame work by many proponents of him during India's national movement. According to him, Gram Swaraj is self-reliant and a complete republic based on individual freedom.

[54] Karl Marx, New-York Daily tribune, June 25, 1853; see also
http://www.marxists.org/archive/marx/works/1853/06/25.html

[55] Ex – untouchables in pre Independent India. Indian Constitution recognizes them as Scheduled Castes.

[56] The study team was headed by Balwant Rai Mehta Committee was appointed by the Government of India in January 1957 to examine the working of the Community Development Programme and the National Extension Service and to suggest measures for their better working. Recommendations of this committee were instrumental in starting the Panchayati Raj institutions across all states in India in late 1950s.

were largely responsible occasional and half-hearted response from the State. Debate and action in the area of decentralised democracy and the enactment of the 73rdCAA is an example for such an attitude.

When the Adivasis[57] and Dalits from various backward regions demanded, through the Naxalite movement, radical redistributive reforms (land/forest rights) in 1967, the Union government initiated several centrally directed rural development programmers, and State Governments made changes in the PRIs to accommodate some of the demands and wean the groups away from radical demands. The 73rdCAA is further seen as diverting the attention of Dalits from capturing state power, as they were becoming involved in mass movements, to rise against atrocities and caste segregation. Furthermore, the 1992 Act was also seen as an attempt at national level to destabilise the domination of regional parties. Thus social movements and political exigencies influenced the amendment. The shaping of PRIs followed the pattern below.

1. In the initial phase, upper castes and dominant communities were accommodated in the power structure through PRIs and the marginalised communities were kept at bay.

2. From the mid-1960s to 1980s politicisation of downtrodden communities became visible. Attempts to accommodate, co-opt the margins were started.

3. In the post-1980 phase, social movements representing marginalised[58] communities had influenced politics at the state and sub-state levels, which led to rethinking about decentralisation at Union government level.

In each phase Dalits were scantily accommodated and systematically marginalised. Dalit women elected representatives are worst off. Dalits face the ire of socially dominant groups but also of government functionaries. Because of this apathy, they did not evince much interest in the PR institutions. Sometimes, when Dalits try to exercise their power they are facing violent reactions from the upper castes. Despite the technical reservation of electoral seats provided by the 73rdCAA, they are still disempowered.

Failure to secure proper shares or partnerships in the popular power means that none are happy (Ardent 1963). Hence as long as genuine partnership is not ensured in the local political system, there cannot be any freedom and equality for Dalits and the marginalised.

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[57] Adivasis are a heterogeneous set of ethnic and tribal groups, who leaving in forest and hilly areas in Indian Constitution recognizes them as Scheduled Tribes (ST).

[58] Marginalized in this context refers to Scheduled Castes (S.C),Scheduled Tribes(S.T), Backward Classes(B.Cs) Women and Religious Minorities.

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Service Delivery: Focus on Dipaleseng Local Municipality: Mpumalanga

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Abstract

The supply or lack of services impacts on people's quality of life, and so the Constitution of South Africa and other strategy documents emphasise the provision of services to all South African citizens irrespective of colour or creed. The services are vast and the responsibility for provision is divided between national, provincial and local authorities. This paper focuses on the delivery of services whose responsibility and accountability lies with the local municipalities, including: water; electricity; sanitation and refuse removal. The paper also explores the background to the recent unrest in the country with a focus on Dipaleseng Municipality, looking at its socio-economic situation, and challenges which include poverty, economic stability and provision of basic services. Sources of data include the South African media, journal articles, relevant documents, websites and databases.

Key words: poverty rate, GDP, unemployment, service delivery.

Background

South Africa has recently experienced protests and unrest due to dissatisfaction with service delivery. Chief amongst the triggers of the unrest is lack of services including housing, sanitation, clean water, and electricity etc.

Figure 1 shows the locations of protests from 2007-2010, and Figure 2 the concerns of protestors (Jain, H. 2010: 31). As can be seen from Figure 2, amongst concerns that triggered the protests, housing is the top followed by water and electricity, sanitation etc.

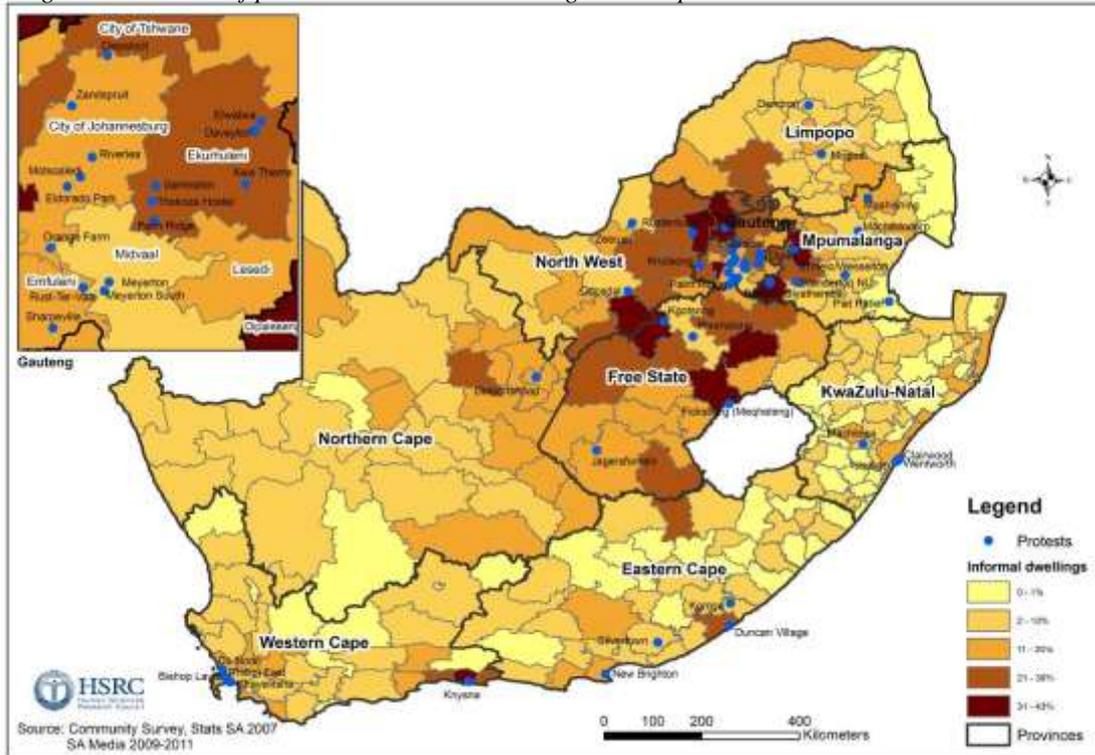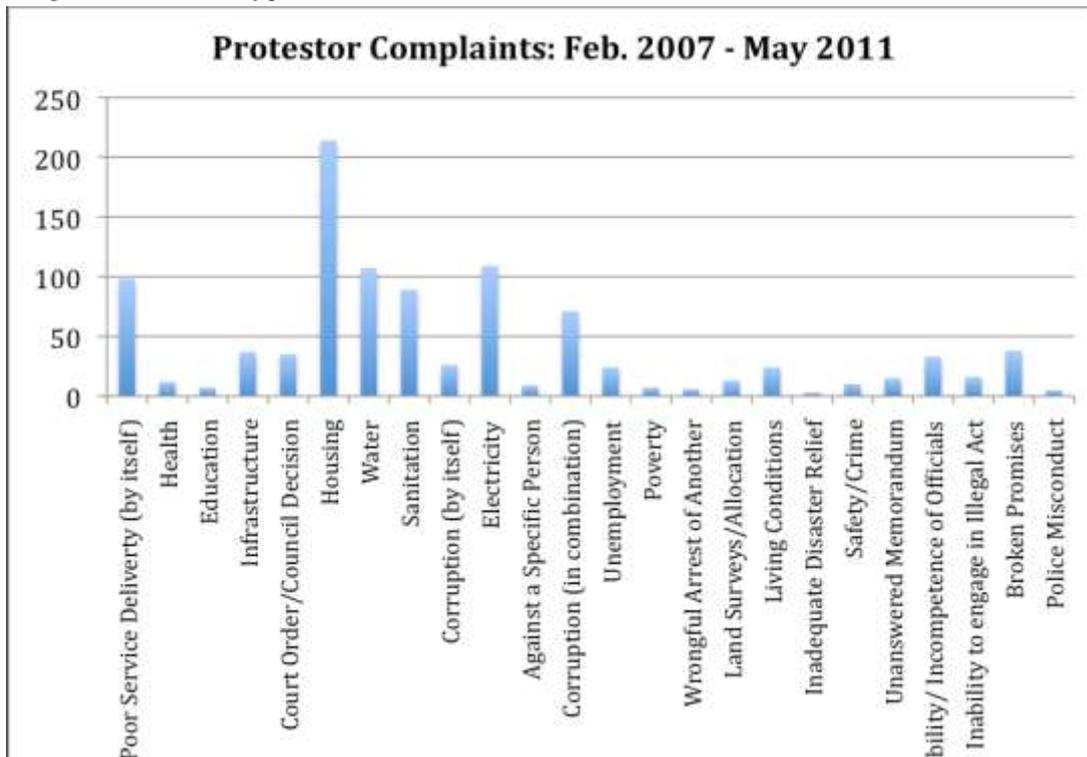*Figure 1: Location of protests in relation to housing services provision*

*Figure 2: Concerns of protestors*

Source: Jain (2010) p30

Housing is primarily the responsibility of the provincial department, but since people have direct contact with local authorities they tend to direct grievances about the backlog in housing at municipalities. For this reason housing and conditions in the informal settlements will also be briefly examined.

Dipaleseng Municipality

Dipaleseng Municipality is located in Mpumalanga Province and falls under Gert Sibande District Municipality. It covers an area of about 2619.4 km² and has a population of 37,880 (Stats SA, 2007). The head office is situated in Balfour, one of the larger towns in the area. Other small towns include Dasville, Greylingstad, Grootvlei, Val and Willemsdal (Figure 3). Close to these towns are settlements, both urban and rural, but the municipality itself is largely rural. The townships and rural settlements include Siyathemba in Balfour, Nthorwane, Ekanini etc.

Figure 3: Dipaleseng Municipality
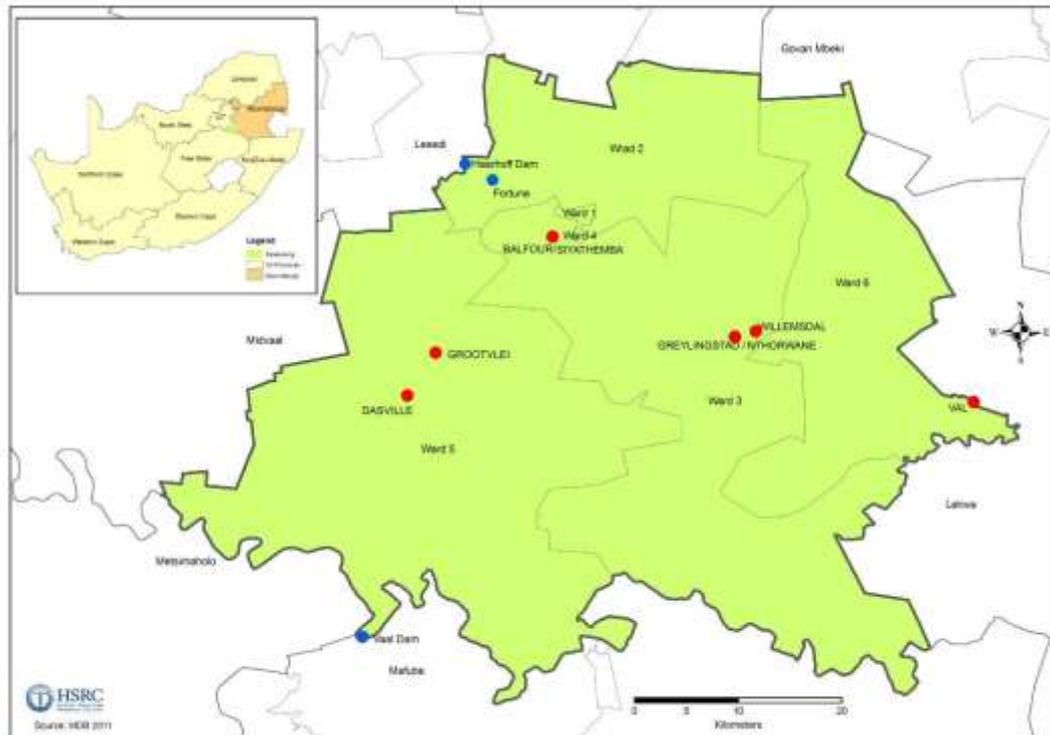

Socio- economic characteristics

The socio-economic conditions of each municipality can be measured, by poverty rate, unemployment, and gross geographic product (GGP[59]). Figure 4 below shows the decline in the poverty rate from 69.31% in 2001 to 60.93% in 2004[60], which could be attributed to government

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[59] The *Gross Geographic Product* (GGP) is a measure used in South Africa to assess the total and sectorial economic activity on an annual basis within municipalities

[60] "Poverty income is defined as the minimum income needed to sustain a household and varies according to the size of the household. For example, the monthly poverty income in 2009 for a household of four.... was R2, 440 and R3,396 for a

spending on expanded public works programmes (EPWP), and other nationally and provincially driven programmes aimed at poverty reduction. Monitoring poverty levels shows the slow decline in poverty rate from 60.93% in 2004 to 59.75% in 2006 (Poverty Database, HSRC, 2006).

Figure 4: Dipaleseng - Poverty rate 2001-2006
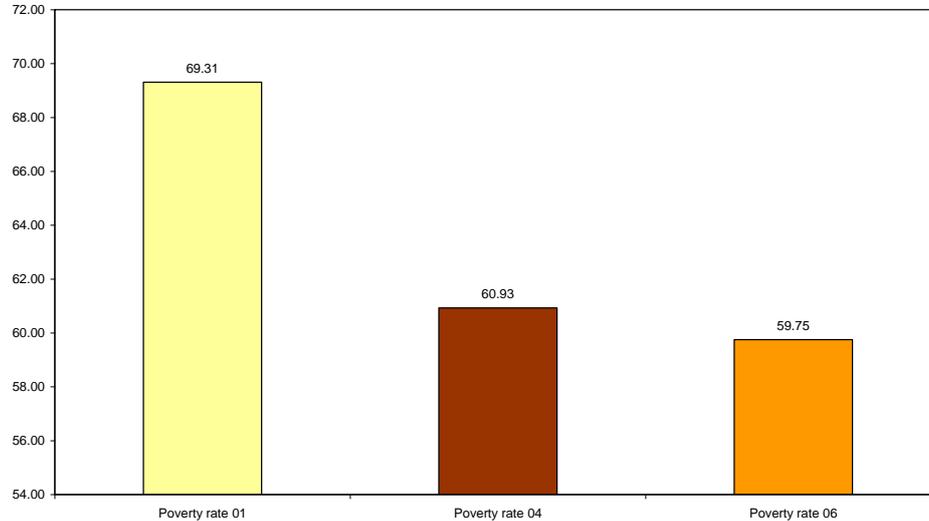
To explore the reasons attributed to the rise/decline of poverty it is important to understand the economy of the municipality, and key economic sectors. Mpumalanga as a whole is known for production of maize, sunflower, groundnuts, citrus fruits etc. Dipaleseng contributes 3.48 % to Mpumalanga's agricultural income. In 2001 agriculture, community services and trade were the top three sectors, with agriculture contributing 21% to the municipality's total GDP (Figure 5).

In addition crop production, livestock, dairy farming and commercial logging are also prevalent in the whole of Mpumalanga; Dipaleseng also plays a role in this sub-sector hence the existence of the biggest abattoir (Karan Beef) that employs largely Dipaleseng residents.

Dipaleseng experienced a severe decline in agricultural income between 2001-2004. Even today it has failed to recover fully. From 2004-06 some improvement was seen which can be attributed to LED programme, although the economy did not reach the 2001 mark (Figure 6). Dipaleseng has a number of small-scale agricultural projects (Dipaleseng IDP2008/09) which include: Mphatlalatsane Cooking Oil; Siyafuya Piggeries; Rainbow Nation Piggery; Harambee (farming) and Sinqobile (wood).

household of six. The poverty rate then is the percentage of people living in households with an income less than the poverty income" Source, Mpumalanga Province (2011)

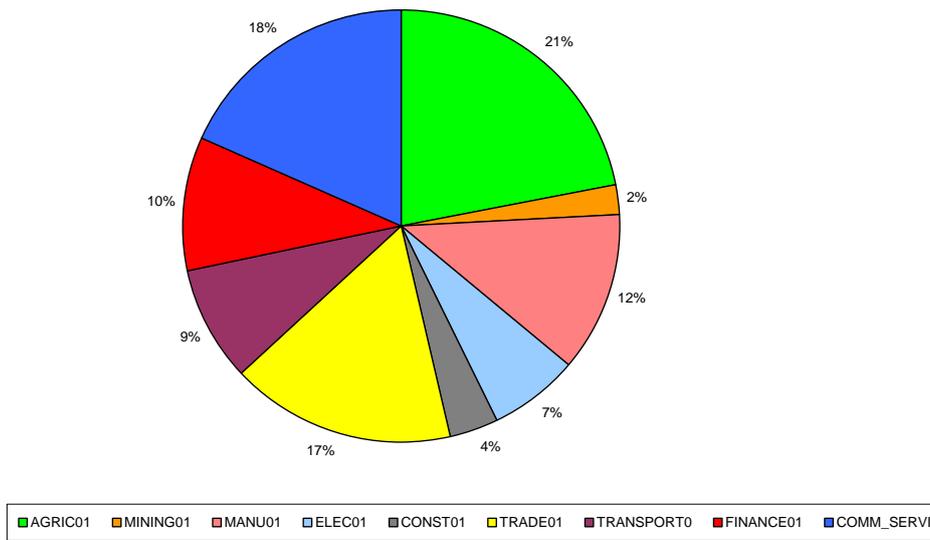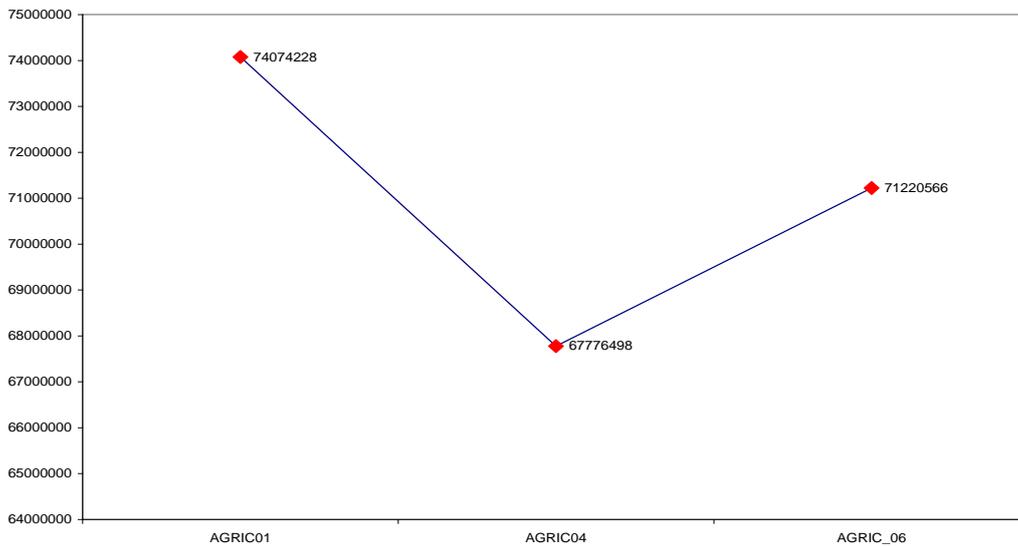*Figure 5: Dipaleseng GGP by sector 2001*

Figure 6: GGP- Agricultural Sector 2001-2006

The total GGP (all sectors combined) however shows a positive change within the same period (Figure 7). This positive change may be attributed to the growth in the secondary sectors e.g. manufacturing, trade, finance and community services. With the exception of manufacturing the other three sectors were stable from 2001-2004 despite the decline in agriculture (-R 6,297,730) and mining (- R404, 332) in this municipality (Economic database, HSRC, 2006).

Figure 7: Dipaleseng Total GGP 2001-2006
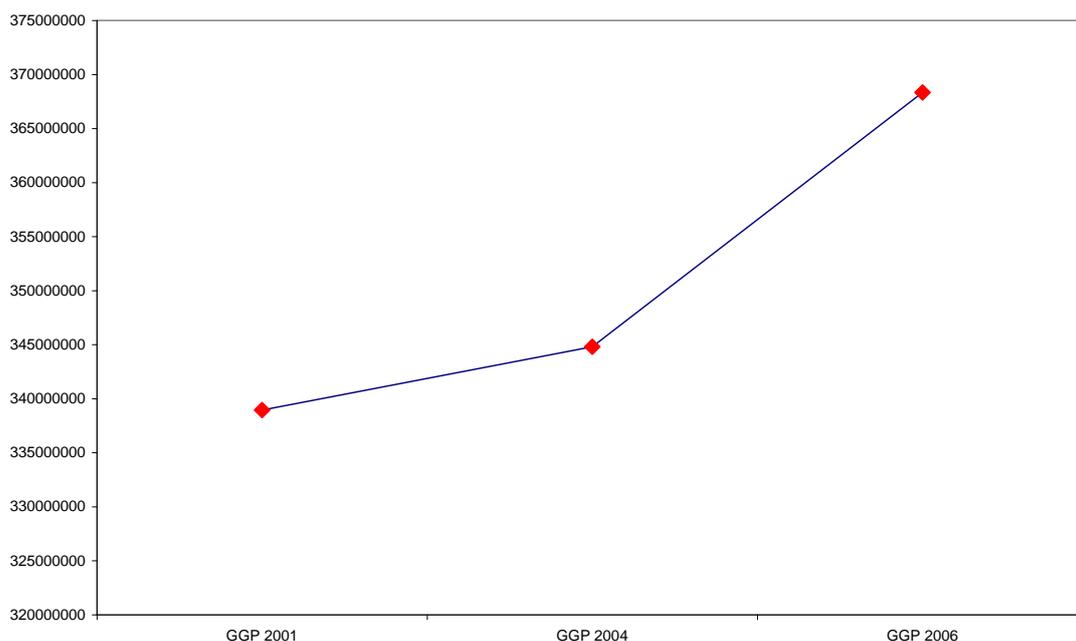
Provision of basic services

Key to the adequate provision of services is the understanding of the demographic characteristics of the population within the municipality. The total population for Dipaleseng was estimated at 38,726 in 2009 (SA mid-year estimates 2009 cited in GSDM 2010/11 IDP). Planning for services needs to be forecast, and estimating the population growth rate is crucial for medium to long-tern planning. This will assist the municipality in developing plans and budgets based on the forecast demand for their services. According to the GSDM, the growth rates from 2005 to 2010 are as follows:

Ward 1 = 3%	Ward 4 = 3%
Ward 2 = 2.5%	Ward 5 = 1.5%
Ward 3 = 1.5%	Ward 6 = 2%

Failure to meet the demand for basic services results in unhealthy, unsafe and hazardous habitats which leads to diseases, disasters etc. The services may either be lacking, inadequate or of a lower standard. That is why it is crucial to understand the level/standard at which the services are provided (Figure 8)

Figure 8: Service levels

Service type	Level 1 Basic	Level 2 Intermediate	Level 3 Full service
Water	Communal standpipes	Yard taps, yard tanks	In house water
Sanitation	Sewage collection/disposal	VIP latrine/septic tanks	Full water borne
Electricity	5-8 Amp/non-grid electricity	20 Amps	60 Amps
Roads	Graded	Gravel	Paved/tarred & kerbs
Storm water drainage	Earth lined open channel	Open channel lined	Piped system
Solid waste disposal	Communal (residents)	Communal (contractor)	Kerbside

Source: ETU (n.d.)

Housing

Housing is not the responsibility of the municipality but that of the provincial Department of Human Settlements, but is also considered in this paper as it was also part of local grievances. Some 43% of the households in Dipaleseng are informal (backyard and free standing shacks). This shows an increase of 9% from the 2001 census data which recorded 34% households living in shacks. 43% is a huge percentage. Figure 9 shows the varying backlog between rural and urban areas.

Figure 9: Status Quo for housing

PROGRAMME	PLANNED TARGETS	REMARKS /COMMENTS ON ACHIEVEMENT
In Situ Development Ext 5	Provision and complete the project for 236 units	Progress not satisfactory and quality is compromised
100 Housing units for Ward2&4	Eradication of all in-situ shacks	More allocation required from Dept of Human Settlement
100 Housing units distributed amongst W:3=30, W:1=20, W:5=20,and W:30 [in situ dev.]	To eradicate 2034 units backlogs in all in situ settlements.	Backlogs escalating whereas allocation diminishes
Grootvlei informal settlements 1000 units [in situ dev.]	To reduce this by 75% before the end of 2011/12 F/Y.	Solicit allocation from Dept of Human settlements
Siyathemba Ext 7, 750 units including Ext 2 South portion [in situ dev]	750 units to be built before the end of 2011/12 financial year	Dept of Human settlements to fast track allocation for this in situ development

Source: Gert Sibande DM IDP 2010/11 Situation 3

Water and sanitation

According to the Community Household Survey findings of 2007, 48.6% of households in Dipaleseng have water inside the dwelling, 32.9% within the yard and 14% use communal taps outside the yards (Community Survey, Stats SA 2007). The municipality has made some strides in terms of water provision compared to 2001. In 2001 only 20% of households had a water supply in the dwelling, 56.4% in the yard, 17% were relying on communal taps and 6.3% used other sources. In rural areas households mainly rely on other sources of water − boreholes, springs, or dams − due to the lack of water supply networks in these settlements. Dipaleseng relies on one pressure tower, which distributes water from the Vaal and Haarhoff dams to five reservoirs.

Among the complaints that the people vented was the lack of water and its poor quality. According to the municipality there is only one purification plant that is situated in Fortuna. Dipaleseng relies on it but the engineers had long warned that it was fast nearing its capacity (Dipaleseng IDP, 2008/09).

In 2001 only 38.7% had access to a flush toilet connected to sewer. The 2007 data from the Community Survey shows that 68.1% have flush toilet. This is a remarkable improvement from 29.4%. In an attempt to even do better the municipality has provided new townships with long-drop toilets, meeting an intermediate standard in an effort to eradicate the bucket system of sewage disposal (a basic or level 1 standard). About 4.3% households were still using the bucket system in 2007 compared to 19.1% in 2001. In rural areas each household is responsible for sanitation so many

use pit latrines or having no facility. According to the IDP 2008/09 four major sanitation projects were prioritized. These were:

- Sewer reticulation and maintenance in Siyathemba to benefit Wards 2 & 4

- Completion of sewer pump station in Nthorwane to benefit Ward 6

- Completion of sewer reticulation in Balfour to benefit Ward 3

According to Statistics SA Community Survey, 16.5% households had no toilets in 2007 but recently only 3.6% households are reported to have no access to any form of sanitation. Figure 10 shows current access to toilets by type between key areas.

Figure 10: Sanitation type by nodal towns

Category	Balfour	Siyathemba	Greylingstad	Nthorwane	Grootvlei
Flush toilet [connected to sewerage system]	1800	6300	0	1400	1100
Flush toilet [with septic tank]	200	0	1000	0	0
Dry toilet facility	500	1500	300	1000	600

Source: Gert Sibande DM IDP 2010/11 Situation 3

Electricity supply

In terms of energy source for lighting most households use electricity (78.5%) and the rest rely on other sources e.g. candles, paraffin etc. In 2001, 65.5% households had electricity and the backlog was about 32%. By 2007 the backlog was about 21%. The municipality then prioritized a project on *Massive Electrification of Households*, worth R6m, to be funded by the Department of Minerals and Energy, which would benefit all the wards within Dipaleseng.

Refuse removal

Some 77.3% of households have access to refuse removal by local council once a week, an improvement of 11.8% from 2001. The municipality had a backlog of 22.6% in 2007 (Stats SA, 2007). The municipality has only three solid waste disposal sites in Balfour and Grootvlei. The communities in rural areas use own disposal methods (i.e. burning, pit dumps etc).The challenge that the municipality faces include financial resources, inadequate equipment and unregistered landfill sites.

Protests in Dipaleseng

In 2009 a wave of protest swept the country; there was concern that service delivery demonstrations would degenerate into xenophobia, but there was a history of opposition to xenophobia in Siyathemba, Balfour's township. The Sowetan reported:

> The community submitted a memorandum to the Dipaleseng Municipality on 8 July 2009. Most demands concerned basic issues such as a request for a police station, a mini- hospital and high-mass lights. Topping the list were calls for a skills training centre and policies governing job recruitment in the area.
>
> These reflect the fact that while the protest was backed by the community, leadership was provided by the township's youth. It is this generation that suffers most from unemployment and lack of housing. Moreover, many of the older leaders are now politicians and tender-seekers.
>
> The council failed to respond to the July 8 memorandum, hence the 19 July meeting [was called and] voted for a stay away. Some activists suspect that police violence was aimed at intimidating them. It had the reverse effect. People fought back and the stay-away lasted four days (Sowetan 2009).

The police fired rubber bullets and teargas as people left the meeting, and protestors set fire to two buildings and shops were looted (Sowetan, 2009). Clearly feelings were running high on both sides.

In analysing the community demands of 8 July (Appendix 1), it is important to assess:

- how they fit into the services provided by the municipality

- are communities aware of who does what between the spheres of government?

- are they using appropriate channels to voice their dissatisfaction and, if not, how can this be remedied?

- is violent protest justified?

In the community's memorandum of 8 July 2009, half of the demands fell out of the jurisdiction of the municipality. Communities often see municipalities as their channel to reach provincial and national government, which makes the municipality the target of misdirected anger and frustrations by the citizens. This could be addressed through public participation methods (i.e. ward committee meetings, *imbizos* etc) to explain the following:

- different roles and responsibilities of the three spheres of government

- rights and responsibilities of the citizens

- channels for redress

- the municipality's achievements with regard to the IDPs and other development initiatives.

The municipality has improved in a number of areas as outlined above but has to increase the pace of service-improvement to communities that need them most. To prevent similar protests in the future the municipalities need to strengthen its communication with the residents. It has to inform them of its achievements and also delays/bottlenecks regarding the provision of services.

While the need for communities to voice their dissatisfaction with services is justified as it forms part of the democracy the South Africans voted for, the violence coupled with the protests harms interests on both sides.

Way to the future for Dipaleseng

After the protests a high profile delegation which included President Zuma visited the communities and a task team was appointed to look into the grievances outlined in the memorandum. By February 2010, more protests occurred as citizens, particularly the youth, saw government as being unresponsive to their grievances as nothing visible was happening in terms the concerns raised in July 2009.

In May 2011 the Acting Minister of CoGTA, Mr Nathi Mthethwa, received the report back from the task team. In his response to the report he stated:

> *In line with the local Government Turn Around Strategy (LGTAS) that the Cabinet adopted in December 2009 as well as the Municipal Turnaround Strategies (MTAS) developed per municipality, the lives of the people of Dipaleseng are fast getting turned around for the better! The reality of a better life gets closer with every coordinated effort between government and local communities.* (Acting Minister, CoGTA May 2011)

Visible improvements could be seen in programmes addressing: roads and storm water drainage; water and sanitation; housing; electricity; public amenities; social and economic development; education and skills development; and public/private partnerships.

Private sector

The role of the private sector in supporting development is interesting. The Burnstone Gold mine which is under Great Basin Gold International Mine has employed 108 people from Siyathemba Township and other neighboring towns (Mining Weekly, 9 February 2010). Burnstone Gold already had various initiatives in place prior to the protests, although the residents still perceived the mine as employing people from outside the municipality. The Great Basin Gold company entered into a MoU with Mpumalanga Development Agency, among other things promising to:

- Develop the economy of Mpumalanga Province and Dipaleseng Municipality, and
- Unlock the economic development potential of Dipaleseng Local Municipality (DLM) by:
- Working closely with the Municipality for the revitalisation of the economy of settlements within Dipaleseng Municipality;
- Promoting business-to-business linkages, with the intention of promoting local Small Medium Enterprises' growth therefore tackling the problems of unemployment and social exclusions
- Providing financial and non-financial assistance to potential investors and local small and medium enterprises, specifically supporting Great Basin Gold's endeavour to provide business support to local existing and emerging enterprises

- Create a culture of long term sustainable vision to ensure that the growth and development programs established under the MoU uphold the principle of sustainable development. Currently the mine is supporting at least eight local enterprises: a laundry, cleaning, gardening, waste collection, construction, catering, sunflower farming and an employee shuttle service;

- Provide an avenue for coordination of economic development initiatives to enhance the activities of the Dipaleseng Development Programme, implemented in partnership with the Municipality. The program was established to integrate the mine employees' housing needs into the municipality's current housing and economic development initiatives; and

- Strengthen cooperative and government/private sector relations. Great Basin Gold has already provided capacity building to the Dipaleseng Local Municipality by seconding a Project Manager to establish a project management unit and assist the municipality to access infrastructure funding.

Questions

Various questions remain unanswered as a result of the protest. Does this mean that protesting is the language that government understands most? Do communities need to protest before service delivery is speeded up? What about the non-protesting communities elsewhere? Are they going to be denied their right to basic services? Does protesting and non-protesting mean dissatisfaction and satisfaction with the services?

One solution which has been successful in communicating people's needs is the Citizen Report Card which is a tool to strengthen public-government communication (Zama 2012). The CRC is can be used across all levels of government to provide feedback from citizens regarding:

- Availability, reliability and quality of services

- Access to and satisfaction with services

- Responsiveness of service provider

- Willingness to pay

- Hidden costs (corruption & support system), and

- Quality of life

Feedback is then disseminated through various media where after dialogues between citizens and departments for services are conducted. The end product is a social compact which is the contract between citizens (recipients of services) and government (service provider). Depending on the agreement between citizens and the municipality CRC can be repeated every 2-5 years. This will enhance the public officials' performance and improved efficient, effective and quality service delivery.

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APPENDIX 1

Submitted to Dipaleseng Municipality: 8 July 2009

MEMORANDUM

We as the youth of Dipaleseng we demand the following:

- Training centre-to develop skills
- Policies governing recruitment-in any public or private sectors around Dipaleseng (Dipaleseng youth must have first preference)
- Visible and Active youth officers
- Police station in Siyathemba
- Mini-Hospital
- Stadium – Function fully and be fully equipped also accommodate all sporting courts maintenance and security
- To be included in this new financial year
- Youth Councillor
- Full-time cleaning campaign
- C.P.F (C.S.F) must be active or re-launch
- Public and Private sector should contribute to the development of our youth
- Youth centre
- Proper clean water and proper sanitation
- Quarterly report: on development and expenditure from councillors.
- To know tendering system.
- Houses
- Street lights and much more high mass lights.
- Paving of all roads and storm water drainage.
- Municipality must re-claim the land from private sector
- F.E.T.
- Dipaleseng incorporated into Gauteng Province
- All the computers within the library to be utilized and have access to internet
- Community hall must be available for community
- Officers of public works must operate daily and train local personnel to work on those offices.

7 days we demand our response (in Siyathemba Hall)
Youth Representative   Municipal Representative