

# **LOCAL ACTORS, POWERS AND ACCOUNTABILITY IN AFRICAN DECENTRALIZATIONS: A REVIEW OF ISSUES**

Paper Prepared for  
**International Development Research Centre of Canada**  
**Assessment of Social Policy Reforms Initiative**

To be published by  
**United Nations Research Institute for Social Development (UNRISD)**

Final Draft  
6 October 2001

Jesse C. Ribot  
Senior Associate  
Institutions and Governance Program  
World Resources Institute  
10 G Street, N.E. #800  
Washington, D.C. 20002 USA  
[JesseR@WRI.org](mailto:JesseR@WRI.org)

## Table of Contents

<b>ABSTRACT.....</b>	<b>IV</b>
<b>ACKNOWLEDGMENTS.....</b>	<b>IV</b>
<b>BOX 1: DEFINING DECENTRALIZATION.....</b>	<b>V</b>
<b>EXECUTIVE SUMMARY.....</b>	<b>VI</b>
<b>INTRODUCTION.....</b>	<b>1</b>
<b>I. DECENTRALIZATION IN AFRICAN HISTORY.....</b>	<b>4</b>
<b>II. WHY DECENTRALIZE?.....</b>	<b>7</b>
Efficiency.....	8
Equity.....	9
Service Provision.....	10
Participation and Democratization.....	12
National Cohesion and Central Control.....	13
Local Empowerment, Fiscal Crisis, Development and Poverty Reduction.....	15
<b>III. DIMENSIONS OF DECENTRALIZATION.....</b>	<b>16</b>
<i>Actors</i> .....	17
Elected Councils as local authorities in Decentralization.....	17
Chiefs as Local Authorities in Decentralizations.....	21
NGOs as Local Authorities in Decentralizations.....	23
Management Committees.....	25
Administrative Bodies.....	25
Private Bodies.....	25
<i>Powers</i> .....	26
Kinds of Powers.....	27
Principles of Power Allocation.....	27
<i>Accountability</i> .....	30
<b>IV. IMPLEMENTATION.....</b>	<b>33</b>
<i>Administrative-Political Relations, Oversight and Tutelle</i> .....	34
<i>Planning Processes and the Problem of Instrumentality</i> .....	36
<i>Enabling Environment</i> .....	39
<i>Sustainability and ‘Means of Transfer’</i> .....	41
<i>Fiscal Transfers</i> .....	43
<i>Capacity</i> .....	44
<i>Legitimacy</i> .....	46
<i>Conflict and Negotiation</i> .....	49
<i>Elite Capture and Patronage</i> .....	50
<i>Sequencing and Implementing the Decentralization Process</i> .....	52
Democratic Local Government First.....	52
Freedom within Oversight—Establishing a Domain of Local Autonomy.....	52
Power before Capacity.....	53
Taking Time.....	54
<i>Opposition to Decentralization</i> .....	54
<b>CONCLUSIONS AND RESEARCH PRIORITIES.....</b>	<b>57</b>
<b>ANNEX A: RESEARCH QUESTIONS FOR EACH SECTION.....</b>	<b>63</b>

<b>ANNEX B: WHO ARE CHIEFS AND CUSTOMARY AUTHORITIES? .....</b>	<b>73</b>
<b>ANNEX C: ACCOUNTABILITY MECHANISMS .....</b>	<b>78</b>
<b>BIBLIOGRAPHY .....</b>	<b>84</b>
<b>ENDNOTES .....</b>	<b>95</b>

## **Abstract**

Decentralizations across Africa are re-organizing the roles and powers of local actors in the name of increasing participation of local populations in governance. How these reforms affect popular participation depends on the local institutional arrangements they create: which *actors* receive powers, what *powers* they receive, and the relations of *accountability* these actors are located in. This review covers a portion of the literature that characterizes decentralizations and attempts to explain their outcomes in Africa. Characterizing decentralizations illustrates the degree to which decentralizations are actually taking place, exploring the difference between discourse and practice. Explaining outcomes helps to identify ways forward. The review draws on the environmental decentralization literature, on cases from other sectors and on theoretical discussions of decentralization. The literature reveals a lack of systematic comparative research characterizing decentralizations or explaining their origins and outcomes. The review identifies opportunities and tension in current reforms and outlines research priorities.

## **Acknowledgments**

Enormous thanks go to Diana Conyers, Aaron deGrassi and Peter Utting for their constructive comments on drafts of this review. I also want express my gratitude to the Dutch Government and U.S. Agency for International Development for supporting the Institutions and Governance Program at World Resources Institute to conduct a portion of the research that informed this document. I especially want to thank Tandika Mkandawire and Jean-Michel Labatut for inviting me to write this review in the first place.

## **Box 1: Defining Decentralization**

**Decentralization** is any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy (Mawhood 1983; Smith 1985).

**Political or Democratic Decentralization** occurs when powers and resources are transferred to authorities representative of and downwardly accountable to local populations (Manor 1999; Crook and Manor 1998:11-2; Agrawal and Ribot 1999:475). Democratic decentralization aims to increase public participation in local decision-making. Through greater participation democratic decentralization is believed to help internalize social, economic, developmental and environmental externalities, to better match social services and public decisions to local needs and aspirations; and to increase equity in the use of public resources.<sup>1</sup> Through entrustment of locally accountable representative bodies with real public powers, the ideals of public choice and participatory or community-based approaches to development converge. Democratic decentralization is in effect an institutionalized form of the participatory approach. This review uses the terms political and democratic decentralization interchangeably. These are 'strong' forms of decentralization from which theory indicates the greatest benefits can be derived (e.g. Oyugi 2000:15).

**Deconcentration or Administrative Decentralization** concerns transfers of power to local branches of the central state, such as prefects, administrators, or local technical line ministry agents.<sup>2</sup> These upwardly accountable bodies are appointed local administrative extensions of the central state. They may have some downward accountability built into their functions (see Tendler 1997), but their primary responsibility is to central government (Oyugi 2000; Manor 1999; Agrawal and Ribot 1999).<sup>3</sup> Generally, the powers of deconcentrated units are delegated by the supervising ministries. Deconcentration is a 'weak' form of decentralization because the downward accountability relations from which many benefits are expected are not as well established as in democratic or political forms of decentralization.

**Fiscal decentralization**, the decentralization of fiscal resources and revenue generating powers, is also often identified by many analysts as a separate form of decentralization (Wunsch and Olowu 1995; Manor 1999; Crook and Manor 1998; Prud'homme 2001). But while fiscal transfers are important, they constitute a cross-cutting element of both deconcentration and political decentralization, rather than being separate category (Oyugi 2000:6; Agrawal and Ribot 1999:476).

**Devolution** is often used to refer to any transfer from central government to any non-central-government body—including local elected governments, NGOs, customary authorities, private bodies, etc. The term devolution is not used in this review since it is too general.

**Delegation** is when public functions are transferred to lower levels of government, public corporations or any other authorities outside of the regular political-administrative structure to implement programs on behalf of a government agency (Alex et al. 2000:3; Ostrom et al. 1993).

**Privatization** is the permanent transfer of powers to any non-state entity, including individuals, corporations, NGOs, etc. Privatization, although often carried out in the name of decentralization, is not a form of decentralization. It operates on an exclusive logic, rather than on the inclusive public logic of decentralization (Oyugi 2000:6; Balogun 2000:155; Agrawal and Ribot 1999).

## **Executive Summary**

African governments have undergone repeated decentralization reforms since the early colonial period. In the most recent wave, beginning in the late 1980s, however, the language of reform has shifted from an emphasis on national cohesion and the management of local populations to a discourse more focused on democratization, pluralism and rights. This review is concerned with the degree to which this new language is being codified in laws and translated into practice.

Decentralization is any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy (see definitions in Box 1). Decentralization reforms are usually about strengthening both central and local governance in ways that support the objectives of national unification, democratization, and greater efficiency and equity in the use of public resources and service delivery. A primary objective of decentralization reforms is to have governments that are able to perform or support all of these functions with appropriate roles at multiple levels. This review focuses on local government and local institutions since they are the key recipients of decentralized powers.

“Underlying most of the purported benefits of decentralization is the existence of democratic mechanisms that allow local governments to discern the needs and preferences of their constituents, as well as provide a way for these constituents to hold local governments accountable to them” (Smoke 1999:10). The underlying developmentalist logic of decentralization is that local institutions can better discern and are more likely to respond to local needs and aspirations. Theorists believe this ability derives from local authorities having better access to information and being more easily held accountable to local populations. Downward accountability of local authorities is central to this formula. When downwardly accountable local authorities also have discretionary powers—that is a domain of local autonomy—over significant local matters, there is good reason to believe that greater equity and efficiency will follow.

All of these assumptions must be approached with caution since surprisingly little research has been done to assess whether these conditions exist or if they lead to the desired outcomes. In practice there is considerable confusion and obfuscation about what constitutes decentralization. In the name of decentralization, powers over natural and other resources are being allocated to a variety of local bodies and authorities that may not be downwardly accountable or entrusted with sufficient powers. Many reforms in the name of decentralization do not appear to be structured in ways likely to deliver the presumed benefits of decentralization and participation, and may ultimately undermine efforts to create sustainable and inclusive rural institutions. The term “decentralization” is also often applied to programs and reforms that ultimately are designed to retain central control. Oyugi (2000:10) goes as far as saying that “...the legal-political design of local government in Africa tends to weaken the cultivation of a democratic culture at the local level as well as weaken the ability of local authorities to take initiative in the field of service provision.”

Because decentralizations that democratize and transfer powers threaten many actors, few have been fully implemented. In turn, it should come as no surprise that most of the literature on decentralization focuses more on expectations and discourse than on practice and outcomes. By and large, the decentralization experiment has only taken weak steps in the direction of deconcentration. Many reforms are taking place in the

name of decentralization, but they are not setting up the basic institutional infrastructure from which to expect the positive outcomes that decentralizations promise. Instead, local democracies are created but given no powers, or powers are devolved to non-representative or upwardly accountable local authorities. Today we must assess decentralizations to identify those that exists in more than just discourse. When we find such instances of decentralization—that is downwardly accountable local authorities with discretionary powers—we can then begin to measure their outcomes.

This review samples the rapidly growing literature on decentralization in Africa. It examines some design and implementation issues emerging in decentralizations and identifies some fruitful areas for policy research and analysis in this critical governance domain. From the review of the literature, it appears that decentralizations are not taking the forms necessary to realize the benefits that theory predicts because they fail to entrust downwardly *accountable* representative *actors* with significant domains of autonomous discretionary *power*. The decentralizations underway differ by the level of legal reform involved, the scale and number of layers of ‘local’ government, the kinds local authorities being engaged and developed, the mix of powers and obligations devolved, the sectors involved, the nature of the enabling environment, and by the motives of governments for launching these reforms in the first place. These are all examined with respect to how they may shape expected outcomes.

## **Introduction**

Today Ethiopia, Ghana, Mali, Namibia, Nigeria, Senegal, South Africa and Uganda have constitutions that are explicitly pro-decentralization and formally recognise the existence of local government (UNCDF 2000; Töttemeyer 2000:95; Therkildsen 1993:83). “There is not a single country in Africa in which some form of local government is not in operation,” and the stated objective of virtually all of these reforms is to strengthen democratic governance and service provision (Oyugi 2000:16). More broadly, decentralization is claimed as the centerpiece of major policy reforms underway across Africa and in other parts of the developing world (UNCDF 2000:5-11).<sup>4</sup> Decentralization is by no means a new phenomenon in Africa,<sup>5</sup> but in this most recent wave of African decentralizations, the language has made the important shift from an emphasis on terms of national cohesion and the management of local populations to a discourse more focused on democratization, pluralism and rights.<sup>6,7</sup> A central question that emerges frequently in this review is whether the changes this new language implies are being codified in laws and translated into practice.

Decentralization in this review is defined as any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy (Mawhood 1983; Smith 1985) (also see more detailed definitions in Box 1).<sup>8</sup> The term ‘decentralization’ is now widespread and has come to be used to promote a variety of objectives.<sup>9</sup> Following a neo-liberal agenda, characterized in Africa by ‘Structural Adjustment Programs’, institutions such as the World Bank and IMF are supporting decentralization as part of downsizing central governments (World Bank 2000). This position fits in with many authors who have promoted decentralization in reaction to what they see as the failures of ‘over-centralized’ states (World Bank 2000; Wunsch and Olowu 1995; Mawhood 1983; Bagwhati 1982; Krueger 1974). Contrary to the tenets of structural adjustment programs, studies of improved local government indicate that successful decentralization benefits from a strong central state (Crook and Manor 1999; Tendler 1997; Evans 1997; Mbassi 1995:24; Conyers 2000a:22; Mutizwa-Mangiza 2000:23).<sup>10</sup> While structural adjustment programs promote decentralizations at the center, they appear to undermine the establishment of sound local government by depriving central governments of the funds and staff that are needed to support successful local reforms (Crook and Sverrisson 2001).

Rather than focusing on the shortcomings and downsizing of central states, however, this review, examines decentralization with respect the strengthening of local government. Local government and local institutions are the key recipients of decentralized powers. Many theorists and practitioners involved in decentralization reforms are more interested in the strengthening and building up of local governance structures than in diminishing central powers (UNDP 1999; Romeo 1996; Roe 1995a:883). For this reason, decentralization is more appropriately viewed a relative term concerning central-local relations. Reforms in its name do not have to be about dismantling central governments in favor of local institutions. They can be about strengthening both in ways that support the objectives of national unification, democratization, and greater efficiency and equity in the use of public resources and service delivery. A primary objective is to have governments that are able to perform or support all of these functions with appropriate roles at multiple levels.

“Underlying most of the purported benefits of decentralization is the existence of democratic mechanisms that allow local governments to discern the needs and preferences of their constituents, as well as provide a way for these constituents to hold local governments accountable to them” (Smoke 1999:10).<sup>11,12</sup> Steering away from the negative arguments about shrinking central governments,<sup>13</sup> the underlying developmentalist logic of decentralization is that local institutions can better discern and are more likely to respond to local needs and aspirations.<sup>14</sup> This ability is believed to stem from local authorities—by dint of their proximity—having better access to information and being more easily held accountable to local populations. Downward accountability of local authorities is central to this formula (Prud’homme 2001; Brinkerhoff 2001; Therkildsen 2001; Olowu 2001; Blair 2000; Crook and Manor 1999; Agrawal and Ribot 1999; Shah 1998; Ribot 1996). When downwardly accountable local authorities also have powers to make decisions over local matters there is reason to believe that greater equity and efficiency may follow.

This review focuses on decentralization as the strengthening of local institutions to play a more representative, responsive and constructive role in the everyday lives of local populations and the countries they live in. Such strengthening usually involves some transfers of financial resources and decision-making powers from central government. In some instances, particularly where the central state is weak, it can start with or be based on low-cost reforms, making local governments more representative of their populations and enabling them to mobilize local resources, operate with a degree of autonomy and make decisions that concern local populations. On the whole, the literature indicates that effective decentralization, whether it is to administrative or political local actors, is about creating a realm of local autonomy defined by a inclusive local processes and local authorities empowered with decisions and resources that are meaningful to local people. But all of these assumptions must be approached with caution since surprisingly little research has been done to assess whether these conditions exist or if they lead to the outcomes desired.<sup>15</sup>

Administrative and political decentralization (see Box 1 for definitions) share equity and efficiency objectives and rely on some mix of mechanisms to assure the incorporation of local needs and aspirations into decision making. But these two forms of decentralization are functionally different. They have often been conflated in past theory and practice.<sup>16</sup> Administrative decentralization, also called ‘deconcentration’, is about performing centrally defined functions in the local arena—whether it be the efficient delivery of services, support for development activities or tax collection. Political decentralization, also called ‘democratic decentralization’, is about creating a domain of autonomy in which representatives are enabled to make decisions on behalf of local populations—again this can be about service delivery, development or taxation, but it can also be about the use of local public resources (natural or financial) for investment in whatever the local population needs and desires. Deconcentration concerns central-state management in the local arena. Political decentralization concerns the domain of rights that local government can exercise on behalf of its constituents—it is about enfranchisement and democratization.<sup>17</sup> Concerning the mechanisms of greater local participation and downward accountability by which both forms are believed to render their benefits, deconcentration is the *weak form* of decentralization having less-direct links between decision makers and local populations, while democratic decentralization,

being based on local enfranchisement, is the *strong form*. This review examines both, keeping this distinction in mind.

In practice there is considerable confusion and obfuscation about what constitutes decentralization. In the name of decentralization, powers over natural and other resources are being allocated to a variety of local bodies and authorities that may not be downwardly accountable or entrusted with sufficient powers. Many reforms in the name of decentralization do not appear to be structured in ways likely to deliver the presumed benefits of decentralization and participation, and may ultimately undermine efforts to create sustainable and inclusive rural institutions (Crook and Sverrisson 2001; Benjaminsen 1997, 2000; Ribot 1995;1999; Agrawal and Ribot 1999). The World Bank (2000:107) understates the problem observing that "...decentralization is often implemented haphazardly." The term 'decentralization', however, is also applied to programs and reforms that ultimately are designed to retain central control (Conyers 2000; Mawhood 1983; Alcorn 1999:44; Ribot 1999 ). Oyugi (2000:10) goes as far as saying that "...the legal-political design of local government in Africa tends to weaken the cultivation of a democratic culture at the local level as well as weaken the ability of local authorities to take initiative in the field of service provision."

By democratizing and transferring powers strong decentralizations threaten many actors. Because of this, few decentralizations have been fully implemented. It should therefore come as no surprise that this review and most of the literature on decentralization focuses more on expectations and discourse than on practice and outcomes. By and large, the decentralization experiment has only taken weak steps in the direction of deconcentration. Many reforms are taking place in the name of decentralization, but they are not setting up the basic institutional infrastructure from which to expect the positive outcomes that decentralizations promise. Instead, local democracies are created but given no powers, or powers are devolved to non-representative or upwardly accountable local authorities. Today we must assess decentralizations to identify those that exists in more than just discourse. When we find such instances of decentralization—that is downwardly accountable local authorities with powers—we can then ask about measuring their outcomes.

This review samples the rapidly growing literature on decentralization in Africa. It examines some design and implementation issues emerging in decentralizations and identifies some fruitful areas for policy research and analysis in this critical governance<sup>18</sup> domain. From the review of the literature, it appears that decentralizations are not taking the forms necessary to realize the benefits that theory predicts because they fail to entrust downwardly *accountable* representative *actors* with significant domains of autonomous discretionary *power*. The decentralizations underway differ by the level of legal reform involved, the scale and number of layers of 'local' government, the kinds local authorities being engaged and developed, the mix of powers and obligations devolved, the sectors involved, the nature of the enabling environment, and by the motives of governments for launching these reforms in the first place. These are all examined with respect to how they may shape expected outcomes.

Section I of this review, Decentralization in African History, sketches the development of decentralization. Section II, , Why Decentralize?, examines various justifications behind decentralization reforms. Section III, Dimensions of Decentralization, explores how decentralizations are being structured around actors,

powers and accountability relations. Section IV, Implementation explores oversight, planning, the enabling environment, means of transfer, fiscal transfers, capacity, legitimacy, conflict, elite capture, sequencing and opposition to decentralization. The Conclusion and Research Priorities section summarizes and proposes some potential ways forward.

## **I. Decentralization in African History**

Decentralization is not new in Africa. Since 1917 there have been at least four waves of decentralization in Francophone West Africa—after both World Wars, shortly after independence and in the present decade (Buell 1928:929-30; Schumacher 1975:89-90; Cowan 1958:60; RdS 1972; Hesselting, n.d.:15; RdM 1977; Ouali et al. 1994:7; Diallo 1994; Gellar 1995:48; Crook and Manor 1994; UNCDF 2000). French Central Africa also decentralized just before independence (Weinstein 1972:263-6), and in some countries after independence (Gellar 1995; Therkildsen 1993; Biya 1986:51). The Anglophone and Lusophone worlds have also seen multiple pre- and post-colonial decentralizations (Ahwoi 2000:2; UNCDF 2000; Mamdani 1996; Mbassi 1995:23; Therkildsen 1993; Rondinelli et al. 1989; Buell 1928; Mawhood 1983; Conyers 1984; de Valk and Wekwete 1991; Rothchild 1994).

In the colonial period, decentralized government, called ‘association’ under the French and ‘indirect rule’ by the British, was set up as a means of penetration and for the management of the rural world (Mamdani 1996).<sup>19</sup> These systems were created to manage Africans under administrative rule rather than to enfranchise them. Although now condemned by history, association and indirect rule were accompanied by laudable idealist justifications in which their purveyors believed (Alexandre 1970a:65-8; Buell 1928; Perham 1960).<sup>20</sup> Liberal anthropologist Lucy Mair (1936:12-14), who, as many other analysts, deemed the systems of indirect rule and association to be equivalent, praised indirect rule as a progressive form of community participation allowing self determination.<sup>21</sup>

Nevertheless, policies of indirect rule and association created an ‘institutional segregation’ in which most Africans were relegated to live in a sphere of so called ‘customary’ law (or the ‘*indigenat*’ which was an administratively driven form of State-ordained and enforced regulation). Europeans and urban citizens, however, obeyed civil laws. In 1936 British colonial officer Lord Hailey wrote: “...the doctrine of differentiation aims at the evolution of separate institutions appropriate to African conditions and differing both in spirit and in form from those of Europeans.”<sup>22</sup> Mamdani points out that “The emphasis on differentiation meant the forging of specifically ‘native’ institutions through which to rule subjects...” (Mamdani 1996:8). These local governing institutions were reproduced after independence.<sup>23</sup>

At independence African governments inherited a system in which local governments were tools of administrative management.<sup>24</sup> Under this system so-called ‘customary’ authorities were privileged as the ‘representatives’ of the rural world and the prefects, *commandants des cercles* and district officers were the appointed supervising managers. The coercive abuses of the colonial state de-legitimized local governments and customary authorities. Nevertheless, colonial policy set up the infrastructure for the central state to continue managing rural affairs. They did not leave the structures as they found them, but reformed them to further strengthen central roles. For example,

governments at independence de-politicized the role of local government in the Anglophone countries by deliberately playing down the role of elected councils in policy and decision making (Oyugi 2000:16).

In the post colonial period, according to Therkildsen (1993:82), local government had two prominent features: 1) regardless of regime type, ruling groups sought to control local-level public affairs, and 2) local social groups generally avoided or disregarded sub-national political-administrative organizations. After independence governments across Africa continued to use local governments as administrative units and major functions of local governments, such as health, education and roads and local taxation, were transferred to central government control. Elections to local councils were also abolished or centrally controlled. The tendency toward centralization in the first two decades after independence reflected the politics of this heyday of military rule, during which time governments were trying to consolidate political power. (Therkildsen 1993:82; Oyugi 2000:13.) Decentralization was used to expand the reach of the state, so reforms took the shape of deconcentration—extending central administration into the local arena. This was reinforced by the period’s dominance by one-party states and socialist governments, which did not create the space for elected local governments. There was little popular participation in local government. Deconcentration was designed to reinforce “verticality.” (UNCDF 2000:2.)<sup>25</sup>

Until the last decades of the 20<sup>th</sup> century, decentralizations proceeded in the form of deconcentration almost without exception. Southern Africa experienced a wave of such ‘decentralization’ in the late 1950s and early 1960s (de Valk 1990:4). Under one party rule, Zambia had decentralization reforms in 1969, 1971 and 1980 in which the party’s political control over district administration gradually increased (Therkildsen 1993:82). Kenya decentralized in 1964, 1970, 1974 and 1982 reducing the importance of local government (Therkildsen 1993:82). Kenya’s last decentralization, called ‘district focus’ in 1983, “...intended to increase efficiency of central government administration rather than promote local autonomy or popular participation” (Conyers 1993:28).

Francophone West African governments decentralized after independence with the express purpose of introducing ‘participatory local governments.’ Governments, such as Senegal considered to be far advanced in their decentralizations, however, maintained a system of ruling party control and administrative oversight that strangled local autonomy (Ribot 1999). Mali created elected local councils in 1979, but did not give them powers (Diallo 2000:1).<sup>26</sup> Zimbabwe deconcentrated powers to local administrators in 1984, focusing on creating planning committees. There was little impact on the allocation of resources, however, producing frustration and skepticism, but leading to pressure by the Ministry for Local Government for significant re-allocation of powers to existing elected local authorities. In 1993, new powers were officially decentralized to elected rural district councils, but line ministries never transferred significant powers to them (Conyers 2001:2). Nigeria began a stop and start again decentralization process in the 1970s, introducing elected local government in 1976 and 1983 (Crook and Sverrisson 2001:34). Nigeria devolved major functions such as law enforcement, maintenance of roads and bridges, rural development responsibilities, agricultural development, health, water and housing provision to elected local governments in 1976 (Rondinelli et al. 1989). In Ghana, Rawlings established ‘elected’ district assemblies in 1987, however,

these assemblies have very limited powers and a large portion of their members were appointed by the central state (Rothchild 1994:4).

But in practice, even in Ghana and Nigeria or in the Francophone countries where democratic local government was written into the constitution or given special legal protection, "...the reforms lead to growing central government control..." (Therkildsen 1993:83; cf. Ribot 1999; Crook and Manor 1999; Mawhood 1983). Through the 1960s, 1970s and 1980s, decentralizations across the continent failed to produce autonomous representative local government units. They failed to devolve significant powers to local representative bodies (Mawhood 1983; Manor 1999; Crook and Manor 1999; Mamdani 1996). Surveys in the 1970s and 80s showed that virtually no local government autonomy form the central state (Oyugi 2000:17). "By the end of the 1970s, it was clear that the state institutional apparatus for decentralised development had neither promoted participation, nor promoted any meaningful economic and social advancement" (UNCDF 2000:2). One West African survey "...could not find any local government with control over its budget or any with autonomous policy making powers" (in Oyugi 2000:17).

In the 1980s and 90s, structural adjustment programs, requiring the cutting down of central governments, forced many governments to develop decentralization reforms. With the fall of the Berlin Wall and the elections in South Africa, these reforms were infused with a new more democratic language. As one United Nations agency emphasized, in the 1990s, "political decentralisation has assumed a new meaning, away from the imposition of centralised monolithic values, towards a much more rights-based culture" (UNCDF 2000:3). Decentralization is now being promoted in a context of pluralist discourse emphasizing greater representation of citizens, an emphasis on state reforms toward market-based development with structural adjustment programs, and in this context, decentralization is viewed as a way of supporting local governance and improving the efficiency and effectiveness of service delivery to local populations (UNCDF 2000:3).<sup>27</sup> Policies of decentralization are pursued for both developmental and political reasons. De Valk (1990:3-6) argues that over the years there has been a shift from an emphasis on the political justifications—national stability, garnering popular support, 'petty politicking', etc.—during the 1950s and 1960s, to a focus on the developmental value of decentralization which characterizes the present wave of decentralization beginning in the 1980s.

In the 1990s the discourse on decentralization began to highlight 'democratic decentralization' as the preferred reform (Crook and Manor 1999; UNCDF 2000:1).<sup>28</sup> But again, as discussed in more detail under the 'Actors' and 'Powers' sections below, most of the recent reforms taking place in the name of democratic decentralization have not created the accountable representative local institutions nor devolved the powers that would constitute democratic decentralization (Crook and Sverrisson 2001; Ribot 1999). Today donor agencies and theorists are promoting democratic decentralization as the ideal form, involving the establishment of "...autonomous and independent units of local government..." (UNCDF 2000:4). Whenever changes have been initiated in the local government sector "...the stated objective in virtually every country [in Africa] has been to strengthen them as instruments of democratic governance and efficient and effective service provision." Nevertheless, to date it appears that "...regardless of the design of the local government system, the prevailing centralizing tendencies on the part of central

government have rendered meaningful political decentralization a myth” (Oyugi 2000:17).

## II. Why Decentralize?

Most decentralisation efforts have both explicit and implicit objectives. Those objectives likely to appeal to the general public, such as local empowerment and administrative efficiency, are generally explicitly stated, while less popular ones, such as increasing central control and ‘passing the buck’, are unlikely to be voiced.

Diana Conyers 2000:9

Better understanding of decentralizations requires explaining why they occur, why they take the particular forms they do, and the relation between the forms they take and the kinds of outcomes they produce. Decentralization reforms have taken place in Africa under colonial rule, democratic governments and military regimes. As Crook and Sverrisson (2001:2) argue “...there is no evidence of a connection between regime type and either the presence of decentralized government itself or the broad type of decentralisation system.” Decentralizations have been explained, however, as an outcome of pressure from economic crises (Therkildsen 2001:1; Olowu 2001:53); a means for central governments to shed fiscal and administrative burdens (Nsibambi 1998:2); failure of central administration (Wunsch and Olowu 1995); emulation of reforms in other developing countries (Therkildsen 2001:1); of populist political success (Heller 1996; Olowu 2001:53);<sup>29</sup> a result of donor pressures and conditions as part of structural adjustment and other programs imposed from the outside (World Bank 2000; Mutizwa-Mangiza 2000:24; Therkildsen 2001:1);<sup>30</sup> as a response to sub-national splinter groups and pressure to appease incorporate local elite (Olowu 2001:53; Brock and Coulibaly 1999:30; World Bank 2000:108-9; UNCDF 2000:3); and as the consequence of particular configurations of relations between central and local authorities (Crook and Sverrisson 2001:2). Of course, they are most likely a conjunctural result of these and other global, national and local forces.

Rather than explaining or looking at causes of particular forms of decentralization, this section of the review focuses on the benefits or outcomes that decentralization is believed to produce. While decentralization may or may not result from pursuit of these benefits, these benefits emerge frequently in political discourse. It is worth exploring the theoretical bases and grounded evidence behind the assumed benefits in order to assess the potential value of decentralization reforms. At a 1994 conference in Burkina Faso entitled “La Decentralisation in Afrique de l’Ouest,” country representatives declared various expectations from decentralization:

- for Côte d’Ivoire, decentralization is looked at as being a “pragmatic process leading to the sharing of power between central and local levels”;
- for Mauritania, it is “an institutional landmark, a tool for democratization and a way of promoting local development”;
- for Senegal, it is “a fundamental element of a learning process in democracy and people’s participation in development”;
- for Guinea, “decentralization is a project for society based on natural solidarity, oriented towards development”;
- for Mali, it is “the best available instrument to use in reorganizing the State”;
- for the Cape Verde Islands, it is “a tool used in achieving national solidarity”;

- for Benin, “decentralization is an instrument to be used in promoting grass roots democracy and local development”;
- for Burkina Faso, “decentralization should reinforce local democracy, grass roots democracy and local development” (Mbassi 1995:24).

These expectations represent most of the objectives current in political discourse. Many others express such high expectations for decentralization. The World Bank (2000:107) argues that “...devolution of powers affects political stability, public service performance, equity, and macro-economic stability” (cf. Prud’homme 2001:14). Others place the emphasis on its role in democratization (Crook and Manor 1999; Ribot 1996; Mbassi 1995:23; Rothchild 1994:1); rural development (Roe 1995; UNDP 1999); management of the rural world (Mamdani 1996); or state building (Bazaara 2001: 7-13). Conyers (2000:7) provides four broad categories to outline objectives of decentralization: local empowerment, administrative efficiency and effectiveness, national cohesion, and central control.<sup>31</sup>

Most of the outcomes that are attributed to decentralization are assumed in the literature and left unquestioned. Whether, when and where these outcomes actually materialize is an empirical question for further analysis. This section examines the benefits believed to come from and used to justify decentralizations, and some of the evidence behind these claims. It reviews rationales and evidence in support of links between decentralization and the following outcomes: 1) equity, 2) efficiency, 3) service provision, 4) participation and democracy, and 5) national cohesion and central control. These five categories encompass most of the above concerns. A sixth sub-section briefly covers local empowerment, structural adjustment programs, resolving central government fiscal crisis, reduction of public expenditure, development and poverty alleviation.

### *Efficiency*

Increased administrative efficiency is the overriding impetus for governments to decentralize (Therkildsen 2001:1; Conyers 2000:8). Many theorists indicate that decentralization is preferable to centralization due to the inefficiency of central states in carrying out their mandate, primarily in response to the failures of highly centralized planning efforts in the post independence years. This inefficiency is attributed to the classic arguments that monopoly (government or private) is inefficient and that central governments have been corrupt. (See Conyers 2000:8; Tendler 2000:118; Scott 1998; Wunsch and Olowu 1995; Mahwood 1983; Meinzen-Dick and Knox 1999:4,30; Rondinelli et al. 1989; Bhagwati 1982.)

The governments, donors and private sector have also supported decentralization on efficiency grounds for many of the standard public choice arguments: decisions more relevant to local needs and conditions are more likely to be effective; local coordination is facilitated and transaction costs are reduced by making decisions locally; decentralized decision making can be quicker and more flexible, therefore more efficient; local knowledge and preferences can be drawn on to make decisions more relevant and effective; local knowledge and labor can facilitate implementation, management and evaluation; and since the local actors will benefit from reducing the costs of their efforts, they are likely to spend their resources more efficiently (World Bank 2000:108; Conyers 2000:8; Huther and Shah 1998; Sewell 1996; Romeo 1996; Baland and Platteau 1996;

Schilder and Boeve 1996: 94-117; Parker 1995; Cernea 1989; Selznick 1984 [1949]; Tiebout 1972; Oates 1972:11-12).

Economists argue that broad-based participation in decision making can increase economic and managerial efficiency by ‘internalizing’ costs and benefits. That is, it allows the local populations who bear the costs of resource use decisions to make those decisions. Local decision made in this manner are more likely to consider and weigh the full range of negative and positive local consequences of their choice (i.e. internalizing economic, social and ecological costs). Outsiders or unaccountable locals may only weigh the their direct costs and the benefits that accrue to themselves, leaving negative outcomes that they do not feel, such as diminished forest productivity or water pollution, out of their calculation.

Griffin (quoted in de Valk 1990:5) points out that the most recent wave of decentralization “...seems to be based more on the assumption that decentralized planning and participation can achieve effectiveness and efficiency by resolving the implementation problems of rural development planning.” De Valk (1990:7) also points out that implementation is seen to be improved through better coordination by decentralized bodies, which rests on a ‘deconcentration’ model. In addition, decentralization is seen to increase the relevance and sustainability and to increase self-help contributions to development.

Arguments that decentralization will result in more efficiency through the better matching of supply and demand for local public goods “...need not hold in the less-than-democratic circumstances that apply in some developing countries...” (Sewell 1996:147). This is a critical point since many of these arguments are predicated on the notion that there are mechanisms in place to hold local authorities accountable to local populations.

### *Equity*

If properly structured, decentralization could improve procedural equity. Democratic decentralization is based on locally accountable representative bodies with powers over select local resources and decisions and with local rights and systems of recourse. To establish such forms of local governance requires a shift in most of Africa, particularly in rural areas, away from highly inequitable administratively driven management of the local world. Mamdani (1996) argues that rural people across Africa are managed as subjects under highly inequitable and even despotic circumstances. On the procedural front in Senegal, Mali, Guinea and Cameroon, forestry service authorities only allow recourse in forestry disputes through the forest service itself—even when the complaints concern forestry service abuses. Without independent adjudication, however, local populations have no real independence in ‘decentralized’ forestry matters. They remain under the Forestry Administration’s discretion. Further, participatory approaches to forestry in Niger, Senegal, The Gambia and Burkina Faso, involve only economically interested parties. This does not give equal rights to the public in determining the disposition of local forests. More generally, there is little evidence that decentralizations are instituting procedures and institutions for representative, accountable and empowered forms of local governance. Nonetheless, more democratic experiments appear to be unfolding in Ghana, Mali and Uganda. (Ahwoi 2000; Ribot 1999; Karlström 1996.)

Distributional equity could result from decentralization. Local democracy may affect intra-jurisdictional distribution of government services and the effects of

government decisions. But it is not clear whether it will do so in a positive way. Decentralization, nevertheless, has been argued to provide more equitable distribution within local districts and greater opportunities for the poorest. While there are some cases suggesting that decentralization can increase distributional equity, the evidence for either is very thin in Africa.<sup>32</sup> Local taxation policies can also shape local distribution of income. Property taxes, trade licenses and urban service fees are usually collected from relatively wealthy businessmen (Smoke 2000:16). Further, income taxes can also be progressively structured. But, Smoke (2000:16) points out that the effects of decentralization on income distribution is another poorly studied issue.

Gender equity in representation is a widespread problem. In Uganda this was explicitly redressed in the decentralized Rural Council system wherein, since 1995, women are guaranteed at least one third of the seats. Women's representation has significantly increased. The local Government Finance Commission reported that several women have said "In meetings it is now more comfortable to speak up. But this was not the case before. Husbands mistreated wives before. Husbands either did not allow their wives to attend meetings or did not allow them to speak in meetings." ( Saito 2000:5, also see 15-6).

Decentralization also shapes equity among local districts—inter-jurisdictional equity. Conyers (2000:8) argues that decentralization can result in "a situation in which those regions or localities with good financial or technical resources prosper at the expense of those without." The World Bank (2000:110) points out that such equity is a function of the willingness of the central state to engage in redistribution among regions. Smoke (2000:16) also argues that this kind of redistribution can only be accomplished by central government. More data is needed on this topic within Africa.

### *Service Provision*

Decentralization and deconcentration are believed to increase service delivery. First, central government monopoly power over service provision is argued to be the source of many inefficiencies (Tendler 2000:118; cf. Rothchild 1994:3). Following this logic, introducing private firms, NGOs and even local governments as providers increases competition and thereby increases efficiency. Competition is believed to create providers that are more responsive to consumer needs and preferences. Further, the public choice logic goes that better matching of services to needs and preferences follows from decentralized and deconcentrated providers being closer to their clients, and therefore having better access to local information.

Evidence that decentralization or deconcentration leads to better service provision is thin. This is partly because the assumed causal relations are difficult to demonstrate (Ribot 1999; World Bank 2000:109). "Given that claims of service improvements are so central to the arguments of decentralization advocates, it is somewhat surprising that so little research has been conducted to see if decentralization indeed increases the level of services delivered and their quality" (Smoke 2000:16). The existing evidence is mixed. A study of decentralization in ten developing countries showed increased infrastructure expenditures at the national and sub-national levels. Where service provision was low, decentralization appears to increase locally produced services. One large comparative study of service delivery in 75 countries indicates that facilities are better provided by

central government while operation is more effective and less costly when decentralized (Lewis in Smoke 2000:17).

In Uganda, “generally, service providers, either health workers or teachers, claim that decentralization has brought better control over their resources and this is one important reason why civil service staff are supportive of decentralization, Yet on the other hand, service receivers do not express that the services are improved in recent years. This perception gap is a critical Challenge which needs to be tackled in the near future” (Saito 2000:11). In health services most patients find decentralized government clinics unsatisfactory and prefer, if they can, to go to private urban facilities (Saito 2000:13). In education, the number of children in the schools has increased due to tuition waivers for the first four children of each household, but the service educators claim that the quality of education has deteriorated. Further, parents claim they now are asked to pay even more, despite the new laws so their burdens are not lessened. (Saito 2000:13-14.)

Donor evaluations and independent studies concerning social funds—which are one form of service-oriented ‘decentralization’ involving private groups—indicate that private providers can be as insensitive and standardizing as the public sector is considered to be (Tendler 2000:118). In addition, although receiving funds, NGOs may not be active. Part of the problem here is that in the domain of service provision, NGOs may “...dislike being the mere executors of a ‘paternalistic’ government program...” (Tendler 2000:128en50; also see Hudock 1999).

In any decentralization “...there is inevitably some tension between the technical and resource constraints on the supply side and the demands placed on the system by the public” (Smoke 1999:12). Decentralizations in the past have often taken the form of shedding of service responsibilities in order to reduce costs to the central government (Manor 1999; Crook and Manor 1999; Parker 1995; Uphoff and Esman 1974; Alcorn 1999). But, without the fiscal resources to execute these new responsibilities, local governments and other local institutions cannot deliver services effectively. The complaint that funds do not match new responsibilities is heard frequently in Africa (Ahwoi 2000:4; Oyugi 2000:8; Alcorn 1999; Manor 1999; Crook and Manor 1999; Parker 1995; Ribot 1995; Uphoff and Esman 1974).

Another tension in decentralized service provision is the match between what states are willing to support and what local populations desire or need. As Fiszbein (1997) found in Colombia, and Smoke (1999:12) in Asia, the kinds of public services that the state suggests or requires local jurisdictions to provide, may not be the things that local leaders prefer or that local people ask for in participatory exercises. Here the classic tension emerges between central state instrumentality and democratic pluralism (see Selznick 1984 [1949]:7,225-6; de Valk 1990:9; Rothchild 1994:8; Shivaramakrishnan 2000:431; Engberg-Pedersen 1995:2-3,26; Mandondo 2000a; Namara and Nsabagasani 2001).<sup>33</sup> This tension is discussed further under Planning Processes and Instrumentality, below. In the case of Colombia, the central government viewed the investments of local governments as reflecting poor local capacity because they did not fit central government expectations, however, Fiszbein (1997:2-3) found that local use of funds was efficient in terms of the locally desired outcomes (see discussion in Capacity section, below). In Uganda, Onyach-Olaa and Porter (2000:25) also found efficient and creative use of truly discretionary local funds.

Saito (2000:11) points out yet another tension that can favor some service investments over others. He explains that politicians are not as willing to invest in the time consuming social development activities such as the environment or primary health care since they prefer more-visible, short-term activities.

Service delivery requires a complex mix of relations between the central state and local institutions. Central governments have obligations to provide resources or enable local institutions to generate resources to provide services required by the central government. Central governments also set standards for the quality and the extent of service delivery—a function that is often beyond the technical capacity of local jurisdictions and which may be necessary for the greater good at a larger scale. Central states have obligations to provide basic infrastructure and to weigh tradeoffs between technical standards for these services and the costs they imply. Smoke (1999:12) warns that in making such a decision the high transaction costs of local involvement needs to be taken into account and weighed against whether participation is needed.

Two tensions emerge around what central government requires and expects of local governments. First is finance and the second is that between decentralization's instrumental and democratic objectives. Finance and instrumentality are both central concerns in service provision and decentralization writ large. Both will be discussed under the Implementation section of the review.

### *Participation and Democratization*

“But since all cannot, in a community exceeding a small town, participate personally in any but some very minor portions of the public business, it follows that the ideal type of a perfect government must be representative.”

John Stuart Mill<sup>34</sup>

“...Democratic governance cannot be realized at the centre if it does not obtain at the local level. Governance is democratic at the local level to the extent by which people are able to influence the process and substance of decisions made by government that are likely to affect them”

Walter O. Oyugi 2000:4

Participation is currently a key aspect of most discussions of decentralization and is often uttered in the same sentence (Balogun 2000; Sharma 2000; Engberg-Pedersen 1995:1). In Zimbabwe “the political banner under which decentralization is advocated is ‘participation in development planning’” (de Valk 1990:11). Participation is believed to make plans more relevant, give people more self-esteem, and to help legitimize the planning process and the state as a whole (Conyers 1990:16). Decentralizations are argued for on the grounds that public participation and citizen involvement in programs is a good in and of itself (Menizen-Dick and Knox 1999:5).<sup>35</sup>

Arguments defending decentralization on the basis of greater participation of citizens in democratic governance can be found in the writings of Alexis De Toqueville (1945 [1835]) and John Stuart Mill (in Green 1993:3), and more recently Dahl (1981:47-49). Webster (1992:129) is only one of the later figures to argue that decentralization is “seen as a means by which the state can be more responsive, more adaptable, to regional and local needs than is the case with a concentration of administrative powers.” (cf. Bish and Ostrom 1973; Weimer 1996:49-50).<sup>36</sup>

There are plenty of examples in local or ‘decentralized’ natural resource management that are justified as participatory approaches. Familiar ones include: Joint Forest Management in India and Community Forest Management in Nepal, the CAMPFIRE projects in Zimbabwe, Rural Markets in Niger and Mali, the *Gestion de Terroirs* approach so popular across the West African Sahel, Community Forests in Cameroon. ‘Participation’ of rural populations has become a core principle in natural resource management, and more recently decentralization has become a commonly cited means of achieving it. Participatory approaches to natural resource management are lauded for their potential contribution to economic efficiency, equity and development just as is decentralization writ large.<sup>37</sup> These accolades, however, need to be taken with caution. While intuitively obvious, there is little empirical evidence to support these claims.<sup>38</sup>

Rural communities are usually highly differentiated by class, caste, livelihood, gender, age, religion, race, origins, and ethnicity. While planners have treated communities as uniform in the past, this is rarely the case (Painter et al. 1994; Agrawal 1997; Berry 1989;1993; Sharpe 1998; Ribot 1995;1998).<sup>39,40</sup> It is due to this diversity that questions of community representation arise. Achieving many of the equity, efficiency, environment and development benefits of participation is predicated on devolving decision-making powers and responsibilities to some individual or body representing or within the local community. This requires representative and accountable authorities or groups to whom powers can be devolved or the need to create such authorities.

Locally accountable representation is a means for integrating across and mediating among these differences. Some local authorities, as discussed below under Actors, presume to represent the community as a whole, such as village chiefs or elected rural councils. Others, such as forestry cooperatives or woman's associations and NGOs, represent only a sub-set of the community—their members. Decisions over resources like forest and grazing commons or community development affect the community as a whole. As discussed above under Equity and Efficiency, for decisions over such public resources to internalize costs and local preferences, theory indicates they must be devolved to a body representing and accountable to the community as a whole. In short, returning to Mill, it appears that some form of systematic representation is necessary even in “a small town.”

If participation is to be more than a temporary component of interventions or projects, if it is to be generalized across space and time, then it must be institutionalized. One form for this institutionalization is local democracy. This is a central contribution of democratic decentralization. It is about establishing the institutional infrastructure and transferring the necessary resources for there to be increased public participation at the local level. In short, representative and downwardly accountable forms of local government—that form the basis for democratic decentralization—are the institutionalized, and thereby sustainable, form or local participation.

#### *National Cohesion and Central Control*

Decentralization can serve as a means to maintain political stability when under pressure by local groups and elite who are demanding more power. In Ethiopia decentralization was used as an instrument to diminish secessionist tendencies (World Bank 2000:108-9). In Uganda and South Africa too, decentralization has been used to consolidate national

unity (UNCDF 2000:3). In Mali, the government strengthened the territorial autonomy of Tuaregs regions in 1992 as part of a peace negotiation with secessionists (see Brock and Coulibaly 1999:30). Olowu (2001:53) sees decentralization as promising to help resolve conflicts in The Sudan, Morocco, Angola, Senegal and the two Congos.

World Bank (2000:107-8) points out that decentralization can serve as an institutional mechanism to bring secessionists and other sub-national groups into a formal bargaining process with the government. Conyers (2000:8-9) argues that governments use decentralization to increase national cohesion and central control in three situations. First decentralization can be a means of attracting back regions or ethnic groups that are threatening to form independent states, as in Nigeria. Second strengthening of regions can help reinforce or reconstruct national unity after social unrest or conflict, as in Zambia, Uganda and South Africa. Third, where there is risk of national disintegration decentralization can be used to strengthen the ruling party's control over local-level activities, as in most one-party state decentralizations in the post independence 1970s and 1980s. Conyers (2000:8) argues that to reinforce the role of the party at the local level is one of the main motives for states to decentralize. Rothchild (1994:1) also observes that decentralizations are motivated by these kinds of pressures. He explains that countries prone to decentralize are those ready to respond to "...claims for local autonomy in an effort to manage political conflict." He asserts that the ways in which decentralizations unfold are a function of these state-civil society relations.

Politically, decentralization can be used for state legitimation. States can garner popular support, and meet the needs of individual political actors to establish themselves and their ministries (de Valk 1990:3-4; Conyers 2000:7). De Valk (1990:5) argues that in post independence Zimbabwe demands on the state were: first that the state establish a socialist regime, second land reform, third equitable access to social services, and lastly greater political participation. But, given the high cost of social services and threatening fiscal crisis, "...policies to strengthen regional planning through decentralization are seen to 'kill two birds with one stone': to establish legitimation without too much expenditure" (de Valk 1990:5 citing Gore 1984). The government of Ivory Coast also tried to use democratic decentralization as a means to revive the single ruling party. "It was hoped that the election of local councillors and mayors would bring new generations of cadres into politics, and address the perceived problem of public apathy" (Crook and Sverrisson 2001:24).

Deconcentration can be a tool to establish central power in outlying areas. In Francophone West Africa, Mbassi (1995:23-4) pointed out that due to the weakness of the state, governments recommended that decentralizations include deconcentration of services—in order to maintain a central presence in the local arena. In Kenya, the district focus policy of the 1980s was un-apologetically "...intended to increase efficiency of central government administration rather than promote local autonomy or popular participation" (Conyers 1993:28). In district focus, therefore, deconcentration was used. After independence Kenyatta used provincial administrations to establish the ethno-regional base for his rule and later Moi tried to build his political support through district administration (Therkildsen 1993:83). Such use of decentralized authorities to manage the rural world is similar to the dynamics of decentralization throughout the Colonial period (Mamdani 1996).

“A number of authoritarian systems in Africa have called for and actually implemented decentralization measures, largely reflecting their desire to increase their ability to ‘penetrate’ the periphery political and administratively and to reduce the burden on the political center by off-loading a set of costly responsibilities upon local actors” (Rothchild 1994:2; cf. Mamdani 1996 outlining the functions of decentralization from the colonial period on). In this manner, decentralization can have a paradoxically centralizing impact (Rothchild 1994:2; Crook and Manor 1998; Conyers 2000a). President Biya of Cameroon wrote “I consider national integration, which is the ultimate step towards national unity, to be the cardinal, historical task of the highest priority which I have to carry out with all Cameroon people” (Biya 1986:28), but while arguing for a single party as the necessary tool of integration, he argues for decentralization in which “...village communities...will be given special attention and transformed into real decentralized territorial communities with extensive prerogatives to choose their leaders democratically and manage their own affairs” (Biya 1986:51). He argued that by countering ethnic forms of unity, this kind of decentralization serves the building of the nation state. Unfortunately, party list elections in rural Cameroon have prevented such local democracy from emerging.

#### *Local Empowerment, Fiscal Crisis, Development and Poverty Reduction*

There are many other motives for decentralizing that are stated in the literature, including local empowerment, central government burden shedding, donor conditions, development, and poverty alleviation, among others. These are each discussed briefly here.

Local empowerment is advocated by different institutions for different purposes. Local organizations may advocate decentralization for reasons as diverse as forming a breakaway state, as in the Biafran war in Nigeria or as a means of influencing national policies that affect local affairs. International agencies or NGOs support local empowerment to promote ‘democracy’<sup>41</sup> or as a means of reinforcing the role of their organizations which are concerned with community development. Central governments may be motivated to empower local communities by a need to prevent secession or build national cohesion, or a local government ministry may promote local empowerment to strengthen local governments on which their own institution’s authority rests. (Conyers 2000:7.)

Government fiscal crisis can also justify, or force, decentralization (Olowu 2001; Menizen-Dick and Knox 1999:5). Conyers identifies decentralization as a means to reduce public expenditure as the overriding motive. This motive is part and parcel of structural adjustment programs supported by donor agencies. In most countries undergoing decentralizations, there is some form of donor support present, which often pushes the decentralization process. This support is often justified in that decentralizations can reduce the financial burdens of central governments, save revenues by helping to increase the efficiency of local expenditures, and it can expand the revenue base by including revenue sources that can be exploited more efficiently by local government. Reducing public expenditure can strengthen the central state (Conyers 2000:9). But, although a strong central state may be beneficial to decentralization, austerity programs and the fiscal crisis they produce can also undermine decentralizations (see discussion in Fiscal Transfers section, below).

Development too is often argued to be a motive for decentralization (Helmsing 2001; Roe 1995:833; De Valk 1990; Ribot forthcoming). In many ways this is based on the other motives such as efficiency, equity, participation and democratization, and stability outlined above. It is also based on the idea that with greater participation and local democracy, benefits of local activities may be retained in the local arena and therefore reinvested into local needs and aspirations. Greater participation or representation is believed to lead to more relevant planning processes and the delivery of more useful local services. A stable environment is believed to help create conditions in which people are more likely to invest (World Bank 2000).

Decentralization can be the basis of what I call 'Integral Local Development'. Much of the work now being done on local development appears to be the revival of Integrated Rural Development from the 70s and 80s, but under a new title and with a few new methods. In lieu of integrating programs on the planner's desk and then applying the plans in the local arena as was done in the past, representative authorities and participatory processes are becoming the new mechanisms of integration. These mechanisms are, in this sense 'Integral' to the local community. This then makes the development and integrated planning all 'Integral' to the local context. (Ribot forthcoming; 1999a.)

Poverty alleviation is often assumed to be one of the positive outcomes of decentralized governance that is achieved by empowering and serving the poor. There seems to be no evidence of this as of yet. On the contrary, in a very important comparative study of Decentralization and Poverty Alleviation, Crook and Sverrisson (2001:iii) "...concluded that responsiveness to the poor is quite a rare outcome, determined mainly by the politics of local-central relations." They continue, "Positive outcomes are mainly associated with strong commitment by a national government or party to promoting the interests of the poor at local level...."

### **III. Dimensions of Decentralization**

There are a number of frameworks that have been used for the analysis of African decentralizations (Olowu 2001; Crook and Sverrisson 2001; World Bank 2000; Balogun 2000; Conyers 1984, 1990; 1999; 2000; 2000a; Crook and Manor 1999; Agrawal and Ribot 1999; Smoke 1999; Cohen and Peterson 1997; de Valk and Wekwete 1990; Mahwood 1983).<sup>42</sup> Here I use the 'actors, powers and accountability' framework of Agrawal and Ribot (1999). In this framework the local *actors* involved in decentralization, the *powers* they hold, and the *accountability* relations in which they are embedded are the basic elements for analyzing decentralization. These are the elements for analyzing the kind of decentralization taking place. Democratic decentralization, for example, involves representative local actors who are entrusted with real public powers and who are downwardly accountable to the local population as a whole. These are also the elements that circumscribe the domain of local autonomy that constitutes a decentralization. If there are representative actors who have no public powers, then the institutional arrangement is not a decentralization. Perhaps it should be called an advisory group, or a 'privy council' as in the colonial times. If there are powers, but the actors receiving them are not representative or downwardly accountable, then perhaps it is privatization or deconcentration. This section examines some of the actors, powers and

accountability arrangements that are found (appropriately or not) or that might be useful in decentralized arrangements.

## **Actors**

There is no decentralization without relatively independent and politically responsive local (or more precisely: sub-national) governments.

Remy Prud'homme 2001:13

...the effectiveness of any particular actor depends very much on the merits of the individual. You can have 'good' councillors and 'bad' councillors, 'good' chiefs and 'bad' chiefs, 'good' public servants and 'bad' public servants, 'good' NGOs and 'bad' NGOs, and so on. In other words, while it is true to say that, on average, locally accountable representatives are 'best', the reality is that there are wide variations around the average.

Diana Conyers, February 2001, Personal Communication.

Who represents the local and receives powers in decentralizations? Various actors including elected bodies, customary authorities, administrative appointees, local representatives of technical services and ministers, community groups, 'development' committees and NGOs, are receiving powers in rural Africa in the name of decentralization (Ribot 1999; Therkildsen 1993:75; Conyers 1990:23-6). The kinds of actors who are empowered in decentralization shape the outcomes that can be expected. Different actors are embedded in different kinds of accountability relations, and these relations shape the ways in which they exercise their powers. In this section we examine some of the typical actors to whom powers are being devolved in the name of decentralization.<sup>43</sup>

Prud'homme (2001:13) argues that the rules governing the formation and functioning of local government are integral to decentralization. I believe they tell us far more about the objectives of decentralizations than does the current discourse. Processes for choosing or producing upwardly accountable authorities are oriented toward a different kind of outcome than processes that select downwardly accountable ones. Understanding the implications of any decentralization requires a detailed understanding of the actors being created, supported and empowered within the local political-administrative landscape and their relations to both the central state and to local populations (Olowu 2001).

### *Elected Councils as local authorities in Decentralization*

'Elected' local bodies are constructed in a number of different ways. To understand their likely responsiveness to local needs, it is important to understand the processes of selection (party involvement, rules of candidature and forms of suffrage), term lengths, forms of recall, their discretionary powers, and the forms of administrative oversight they are located in. This section discusses 'elected' local bodies, drawing primarily from experience in Francophone West Africa with a few examples from elsewhere on the continent.

Since independence from France in the early 1960s, Burkina Faso, Mali, Cameroon, Niger and Senegal have created elected units of local government. In Senegal, one express purpose of these councils was to facilitate "participation" by local

populations via direct suffrage (Blundo and Jaubert 1998:66; RdS 1972; RdS 1964; Hesseling, n.d.:15). Blundo and Jaubert (1998:64) also point out that Senegal's reform aimed to replace traditional authorities with modern ones. Participation and local autonomy are also express purposes in Burkina Faso's and Niger's decentralizations (Ouali et al. 1994; Diallo 1994:ff6; RdN 1992).<sup>44</sup> In 1986, Paul Biya also reflected the currency of decentralization rhetoric when he argued for local democracy as a force of modernization and a tool to replace traditional leaders (Biya 1986). In these Francophone countries, the smallest units of rural government regroup five to fifty villages. They go by various names, but I will call them 'rural communes' or 'local government'.<sup>45</sup> In all but Niger, these local governments have both elected governance bodies, called Rural Councils,<sup>46</sup> and a central government administrator, the *préfêt* (prefect) or *sous-préfet* (sub-prefect), appointed by the Minister of the Interior.

In Burkina Faso the Rural Council is constituted from elected representatives of village committees. Each village is divided into committees of Youth (men eighteen to fifty), Elders (men over fifty), and Women (over eighteen). At national elections, each committee elects its representatives and these representatives constitute a village council. The village council then elects from its members a village council president. (BKF 1993.) In Senegal candidates for Rural Councils are presented for election by nationally registered political parties. Each party presents a slate of candidates for each council. In a winner-take-all system the council is then occupied by the winning slate. Each council then elects a president from among its members. The slates fill three fourths of the council while one fourth of the representatives are chosen by a general council of producer and marketing cooperatives and associations (such as youth and women) for a five year term (RdS 1972;1993:art.185-195).<sup>47</sup> In Mali the candidates for councils of the Rural Communities were to be presented by party list, in a system of proportional representation, elected by universal suffrage for a five year term (RdM 1995:art.4,7; RdM 1991). In Mali's new electoral code, however, independent candidates will be able to run in future elections (RdM 1996).<sup>48</sup>

In Niger a series of *coups d'état* has periodically halted decentralization efforts since independence. By the mid 1990s, only ten percent of the rural administrative units planned since independence have been established (Diallo 1994:7). The structure of representation in rural administrative affairs was first organized in 1961 through chiefs appointed by the Council of Ministers in each administrative district who presided over elected councils. However, according to Diallo (1994:4) "the district chiefs had no powers at all." In 1983 a system of representation based on village councils composed of members elected or appointed by "structures of participation" (cooperatives and associations) that were under the supervision of executive appointees. This system was eliminated in 1991 and appointed state administrators ran rural affairs in consultation with political parties and other organizations (Diallo 1994:4,16). Prior to the 1996 *coup d'état* Niger had planned to create elected representatives at the level of Arrondissements. The elections would be by party list, as in Senegal (Elbow 1996; Diallo 1994). Arrondissements remain, however, under the authority of appointed sous-préfets, and under the new arrangements, "...the sous-préfecture effectively presents the same institutional core bequeathed by colonization" (Diallo 1994:19). Niger's arrondissements are also divided into customary collectives under 'customary chiefs' (Lund 1998:64-5).

While there is universal suffrage in elections in Mali and Senegal, and those proposed in Niger, in Senegal and Niger independent candidates cannot run for election to local councils. The same is true for Ivory Coast, where councils are elected on a single closed list system, effectively leaving the selection of candidates to elite (Crook and Manor 1998:162). Since villagers have little influence over national political parties, and lack the resources to form parties, they are unable to choose their own candidates. Indeed, villagers in Eastern Senegal, often told me (on visits between 1986 to 1994) that Rural Councils do not represent them, they represent political parties and the cooperatives.<sup>49</sup> As one villager explained: "the Councilors are chosen by Deputies in the National Assembly. Deputies choose people based on those who support them in their elections.... The Councils are chosen by the parties." (Koumpentoum June 1994.) As Hesselting (n.d.:17) writes based on her research in Senegal in 1983, "They are at times nothing more than sections of the Socialist Party...." Further, few parties have the resources to organize Local Government slates, so there is little competition in local elections.<sup>50</sup>

In 1977, when Senegal's Rural Council system was just being established, it was already evident to one researcher that party politics would undermine popular participation.

The Rural Community could be a body that would organize and steer desired auto-centric development. But for this, it must be removed from political controversies. Unfortunately, it is already becoming a stake for the political parties who are trying to control its executive institution. A politicized Rural Council is at risk of not serving the interests of the community, but those of the party(ies) from which its members are derived. In this manner popular expression is at risk of being strangled, one more time. (André Carvalho 1977 cited by Hesselting, n.d.:43).

Indeed, in 1994 over 300 of Senegal's 317 rural councils were of the ruling Socialist Party.<sup>51</sup> Similarly, in Ivory Coast, Crook and Sverrisson (2001:25; cf. Crook and Manor 1998) observed how local politics were entirely controlled by the party given the single closed party list system, and of the heads of the local councils, the mayors, 74 of the 125 mayors of communes outside of the capital resided in the capital, 29 percent were deputies in the National Assembly and 9 percent were ministers or held other high offices within government. They further observed a "...lack of connection between elected councillors and electors..." to the extent that "...58 per cent of respondents in Crook and Manor's survey could not name a councillor..." (Crook and Sverrisson 2001:25).

These problems are not limited to the Francophone world. In Ghana, the government has chosen to have local governments constituted of independent candidates. The rationale for non-partisan local government is "...that the main issues at the local level relate to development and are not of ideological divides that should call for organizing people into political parties" (Ahwoi 2000:7en8). Nevertheless, the Minister of Local Government expressed doubt that one could sustain a non-partisan local government system that depends on a partisan central government. In Ghana, Crook and Sverrisson (2001:32) report that 70 percent of the population surveyed felt that the elected District Assembly were not responsive to their needs and 22 percent felt it was better under the previous system of un-elected authorities. There was major incongruence between District Assembly funded projects and expressed popular preferences. They attribute these outcomes to resources constraints caused by structural adjustment programs, patronage politics and elite capture and other broader institutional factors such as the inability of elected authorities to make higher officials and appointees accountable to them.

In Anglophone East Africa, “local peoples appear apathetic toward decentralized local institutions” (Wunsch and Olowu 1995:90-91—as cited in Therkildsen 1993:84). In the Anglophone countries, because local governments suffer from lack of legitimacy and inability to mobilize resources, “...local groups increasingly avoid local governments as formal political-administrative institutions” (Therkildsen 1993:84). Concerning legitimacy, the problem goes beyond apathy toward local government to open hostility. In Tanzania, local governments are widely viewed as “...corrupt, inefficient, and a waste of time—and ‘foreign’” (Therkildsen 1993:86). Therkildsen explains that local political leaders have no control over their top executives who are appointed by central government. This is a legacy from the colonial period when it was argued that “high-level servants in local governments should be protected from ‘unreasonable’ pressure from local electorates.” Therkildsen (1993:86) points out that it is no surprise that most elected local government representatives are men (and indeed most are men) of little political importance. In Nigeria, perhaps because “local governments in Nigeria are not accountable, whether upward—to organisational or governmental superiors—or downward—to clients or citizens,” voter turnout, which is likely over estimated due to inflated registrations, was 50 percent in local elections and there is little evidence of an active political process (Crook and Sverrisson 2001:35-6).

Uganda, however, appears to have a different experience. People are generally supportive of the new local government system, which was set up progressively during the revolution led by Museveni in the 1980s. Museveni’s movement system introduced ‘Resistance Councils’ throughout the country upon taking power in 1986 (renaming them Local Councils in the 1995 constitution) (Tukahebwa 1998:14). In 1997 this was renamed the Local Council, which is an elected local government that is not under the influence of political parties. (Saito 2000:1-3). In addition, the government also set up a system of elections for village presidents, to replace village chiefs, and this system has also been reported to have widespread acceptance at the village level (Karlström 1996). Saito (2000:2) attributes the popular acceptance of the movement system to the prosperity and peace that Museveni established when he overthrew the previous regimes.

While the party system is often praised as a way of creating national unity, the experience in Uganda is again different. In 1986, Uganda created local Resistance Councils whose members were elected independent candidates. Parties were excluded from local politics. Local populations expressed their preference for this system over ‘customary’ leaders. Indeed, as Karlström reports “...since political parties are excluded from it, the RC system has not been perceived as a vehicle for the manipulation and exacerbation of religious and ethnic divisions. Virtually all of my informants were adamant about the incompatibility of parties with the RC system and the local unity and solidarity that it has produced.” (Karlström 1996:15-6.)

Even if Rural Councils were openly elected, they are usually not independent decision making bodies. The official role of Rural Councils in Burkina Faso, Mali, Niger and Senegal is merely to *advise* and *assist* the *sous-préfet* on political and administrative matters. Under the system of *tutelle* (administrative oversight) inherited from the French, decisions of the Rural Councils of Local Governments must be approved by the *Sous-préfet* and *Préfet*. So, even in Burkina Faso where Rural Councils are relatively representative of local populations, they are simply not autonomous decision making bodies. They are administrative links to the central government, advising the *préfet* in the

same manner as colonial village and canton chiefs. Today's Rural Councilors, like colonial chiefs, are upwardly responsible to their administrative officers, rather than to the local population. So, via two mechanisms their accountability is oriented upward toward the central state: 1) the administrative system of control or 'tutelage' under the préfets and 2) the electoral system of party politics. (Ribot 1999; 1995a.)

In the Francophone countries, chiefs and rural councils are set up—in different configurations—to be advisory and administrative organs of the central government. Local representatives hold only limited decision making powers themselves. Detailed case studies in these countries illustrate that the *laws* ostensibly designed to devolve powers to local authorities and to ensure local community participation, may not do so. Neither the organization of representation and local authority nor the distribution of powers are structured to do so. (Ribot 1999.) In Ghana the most-local level of local government, the Unit Committees, are constituted of elected representatives. They perform “...duties delegated to them by the Assemblies but without budgets of their own” (Ahwoi 2000:2). In this manner they are an administrative extensions of the Assemblies, which are 70 percent representative bodies operating at the next higher geographic level of political-administration.

Further, 30 percent of the seats in Ghana’s elected local government councils are reserved for government appointees “...to ensure the representation of certain local interest groups such as women and chiefs...” Of the chiefs within the assembly, District Chief Executives are nominated by the President of Ghana, approved by the assembly and are charged with the day to day administration of the districts. (Ahwoi 2000:2-3.) This formula is felt by some to give “...too strong of a central government presence at the local level. It is argued that this promotes allegiance and accountability towards the centre rather than the local population.” (Ahwoi 2000:7en9.)

### *Chiefs as Local Authorities in Decentralizations*

Traditional political authorities have often been viewed as the extended arm of the state in the locality, and usually regarded as inefficient, corrupt, undemocratic and excluding of women.

Ole Therkildsen 1993:87

While Chiefs clearly must not be ignored in environmental management, their representation as uncontentious ‘custodians’ of natural resources seems unwise.

Porter and Young 1998:523

In recent years ‘traditional’ leaders have reasserted their authority in Burkina Faso, Ghana, Niger, Chad, Côte d’Ivoire, Mozambique, Nigeria, Senegal, Sierra Leone, South Africa; Zambia, Zimbabwe and Tanzania (Therkildsen 1993:84 citing Van Rouveroy Van Nieuwaal 1987; Brock and Coulibaly 1999:152; Ntsebeza 1999; Manor 2000).<sup>52</sup> But is the inclusion of these authorities really “...the basis for the emergence of strong, legitimate regimes in the years ahead,” as Rothchild (1994:7) asserts? Mozambique’s 1992 peace agreement states that “The Government undertakes to respect and not antagonize the traditional structures and authorities where they are currently de facto exercising such authority...” (Rothchild 1994:7). The South African constitution also recognizes chiefs as legitimate local authorities (Ntsebeza 1999). How should customary authorities participate in government? While traditional leaders may, at times, be recognized to be “vital social forces in their communities” (Rothchild 1994:8), does this mean that they represent and are accountable to society or can speak or act fairly on its behalf?

Chiefs can play an important role in decentralizations. Chiefs are evoked as a reason not to decentralize in some places and as the actors to whom decentralized powers should be given in others. Chiefs find support in international donor agencies as well as in national governments. To understand the important role of chiefs and other ‘customary’ authorities in decentralization, I provide a history and description of some African chiefs in Annex B. This annex tries to query who chiefs are and where their authority comes from. Some lessons from closer scrutiny of this category of actors are: 1) that chiefs are not necessarily representative, legitimate or even liked by local populations;<sup>53</sup> 2) that they are often constructions of the central state and at times are administrative auxiliaries of central authorities—even today; 3) they are not necessarily accountable to the local population; and 4) empowering or working with them may not serve the efficiency, equity or development aims so often forwarded by decentralization advocates.

In the past two years, customary authorities, with help of their allies in government, are re-emerging as a political force against local democratization in South Africa, Mozambique, and Zimbabwe (Ntsebeza 1999; Manor 2000; Jeter 2000:A1). Muhereza (2001) has pointed out that ‘decentralized’ control over forests (taking the form of effective privatization) in Uganda may contribute to the strengthening of Kingdoms at the expense of the democratically elected Local Council system. Kassibo (2001) has argued that traditional authorities are also re-emerging in reaction to the establishment of local democracy in Mali. Chiefs in Mali, Burkina Faso and Niger are also often evoked by members of central government as a threat to or a reason not to decentralize or establish democratic local institutions (see discussion in section on ‘Opposition to Decentralization’, below). Because chiefs are threatened by transfer of control over land allocation to democratic institutions and the more general undermining of their authority by alternative representative local institutions, they and their allies in central government—who may also lose their rural power base through local democratization—pose a serious threat to decentralizations.

Van Rouveroy van Nieuwaal and van Dijk (1999) have argued that land and natural resource management are being renewed as arenas for chiefly power. NGOs “...appear to have turned chiefly office into an arena of brokerage, thus opening new perspectives and avenues for entrepreneurial activity.” Natural resources and land

allocation are described as domains in which chiefs "...nostalgic claims to authentic ritual power are effectuated in terms of real political power..." Chiefs use this discourse to their advantage in their relation with post-colonial African States. Chiefs use the domain of natural resource management and land allocation to manipulate this relation to their own advantage. "In most cases chiefs succeed in invoking ritual rights from the 'past', which they then translate into instruments for 'hard' political brokerage. Chiefs negotiate their positions in the context of global discourse on sustainability, environmental awareness and national and international interest in ecological preservation." (van Rouveroy van Nieuwaal and van Dijk 1999:6).

In short, customary authorities pose a threat the development of local democratic government and to effective decentralization. They are not necessarily popular public figures, as is often assumed. Perhaps they are better viewed as just another elite or member of civil society—a kind of NGO or interest group. See Annex B for more discussion on this topic.

### *NGOs as Local Authorities in Decentralizations*

History provides us with many examples of non-democratic social organizations that accomplish collective as well as particularistic goals, although with many more that achieve the latter at the expense of the former. What worked in the past may not be workable in the present, but we would be sociologically naïve to assume the quality of outcomes from the equality of a decision making process.

Ronald Kassimir forthcoming

NGOs can play a significant positive role in decentralizations by making people aware of their rights as voters and in monitoring elections (Smoke 1999:11). Ekoko (2000) provides an excellent example from Cameroon where NGOs informed rural populations that they had new rights to a share of the revenues from timber sales in their districts. When the timber corporations refused to provide the due revenues and the government failed to back their claims, the local people asserted their rights through resistance: they lit the timber trucks on fire. In the resulting settlement, they were able to attain some of the benefits that were rightfully theirs. They were able to hold both the state and the timber corporations to account.

NGOs can also provide some services to local populations and can organize to lobby government to push government to provide greater services to local populations. Some schools favoring NGOs (including private companies, voluntary agencies and people's organizations) "...are motivated not by 'developmental' concerns but by the desire to reduce public spending and support capitalist enterprise."<sup>54</sup> However, others are based on the belief that NGOs, and especially local people's organizations, can often provide a more participatory and responsive basis for development than any bureaucracy can ever hope to do. It should, however, be noted that many supporters of the latter view envisage such organizations working in partnership with decentralized government organizations, not replacing them." (Conyers 1990:25.) NGOs can act to achieve collective ends, but as Kassimir (forthcoming) cautions, they are themselves "fields of power and authority" and not merely collective actors supporting democracy.

NGOs may also have very negative effects on local democracy and therefore on the foundations for effective democratic decentralization. In Asia, NGOs have been

observed to “...try to undermine the development of local governments, which are seen as a threat to their powerful position in the community” (Smoke 1999:11). Local NGOs are often approached by donors and international NGOs and organizations to avoid working with government. This too takes valuable opportunities from local representative government that could support their development and legitimacy. In addition, Utting (1999) observes that NGOs can also undermine grass-roots ‘people’s organizations’ when NGOs dominate local agendas. Etoungou (2001) was told by the vice president of a village development committee in Eastern Cameroon that the village was told that the NGO was invited to follow their case, but “...we must say thanks to this NGO, we hope that it nevertheless understand that we can fly with our own wings.”

Many projects also approach sub-village groups—such as fishers, woodcutters, pastoralists, farmers, women's or youth associations. These groups, whether unions, cooperatives, NGOs or associations, however, do not necessarily reflect the concerns of a village as a whole—particularly in matters concerning public resources such as forests, streams, pastures, or public works. While they are often treated as if they were representative, they are not. They represent their particular interests and their representatives or leaders are accountable to their particular constituencies—and often only to themselves. There is no systematic basis for them to speak on behalf of the community as a whole. Spokes-persons for various local movements or organizations are often self-appointed or sponsored by outside aid agencies or NGOs and non-representative (National Research Council 1992:35; Mazonde 1996:56; Guyer 1994:223). As Utting (1999:170) points out, we need to ask who NGOs are accountable to, if indeed they are accountable.

In Senegal, for example, cooperative presidents—usually powerful notables—treat their cooperatives as private property, often filling them with family or dummy members to obtain state services that cooperatives are entitled to (Cruise-O'Brien 1975:128; Ribot 1993). In Cameroon, the community forestry law devolves powers to NGOs (GOC 1998; Brown 1999:47).<sup>55</sup> These NGOs, however, do not necessarily represent the community. As Brown points out, “The danger is that a small group, probably urban elites of local origin, will use their high level contacts to have a community forest approved in the name of the whole community but through an institution which actually represents only a small part of it” (Brown 1999:47). This is effective privatization. While the law requires that these groups consult representatives of all segments of the community, it is not clear by whom these ‘representatives’ are chosen and the representation is not binding, it is just a process that must take place in setting up a community forest (GOC 1998:12).

Governments too are giving NGOs official roles in ‘representing’ local populations. In Uganda’s decentralization laws, NGOs have been given an official role on the newly established District and Local Environmental Committees (Cappon and Lund 2000). This kind of legislation seems to conflate the importance of having a plurality of voices within a society with the idea of representative democracy.

Kassimir (forthcoming), in an excellent discussion of non-state organizations, argues that “non-state organizations with a capacity to achieve collective ends,” as well as “enfranchisement,” are a relevant and critical challenge in the “production of local politics” in Africa.

### *Management Committees*

Management committees are frequently used to organize ‘participatory’ or ‘decentralized’ activities for natural resource management or for development (Muhereza 2001; Namara and Nsabagasani 2001; Etoungou 2001; Alden Wily 2000; Ribot 1995; Engberg-Pedersen 1995:4; Therkildsen 1993:75; Conyers 1990:23-6). These committees may be elected, self-selected, or appointed. They are typically under the close supervision or *tutelle* of technical agencies (forestry or health ministries, etc.), administrators or the NGOs that mobilize them for particular programs and projects. Decentralization programs and projects often choose to work with such committees despite the existence of elected representative local governments.<sup>56</sup>

To appear representative, such committees often include a village chief or a member of an elected local council as a local ‘representative’.<sup>57</sup> Even assuming that these members do represent their communities, however, these members are usually only one person among many members on the committees and do not have a deciding vote.<sup>58</sup> Their inclusion does not make the committee nor its decisions representative or accountable to the population. Further, many of these committees are presided over by the technical service agent who mobilized them and therefore even if they are representative, they are only advisory in nature.

The criticisms discussed under ‘NGOs’ above also hold here. These bodies may not be representative and relying on them may undermine efforts to establish democratic local government. They can, however, like NGOs, be a useful tool for implementation of activities in a decentralized context when they are directly under the authority of a decentralized representative actor—such as an elected representative of the community, or in a deconcentrated situation when under the authority of an administrative actor.

### *Administrative Bodies*

Transfers to local administrative bodies constitute deconcentration. For deconcentration the local appointees and technical staff of line ministries and the administrators and prefects of the ministries of the interior are appropriate recipients of deconcentrated powers. There are several models of deconcentrated power arrangements—who receives the powers and their relations to politically decentralized actors. For example, should planning powers be deconcentrated to a single coordinating body or to the field administration of a particular technical ministry. These questions are to be discussed further under Planning Processes and under Administrative-Political Relations, below.

### *Private Bodies*

Privatization reforms are often part of the neo-liberal ‘Washington consensus’ agenda and often accompany structural adjustment programs. Privatization often also takes place in the name of decentralization. Many analysts, however, reject it as a form of decentralization because it operates on a very different and exclusive logic (Oyugi 2000:6; Balogun 2000:155; Agrawal and Ribot 1999).<sup>59</sup> Decentralization concerns distinctly public resources. Privatization takes place when public resources are transferred to private groups, such as individuals, corporations, forest service or donor-organized management committees, NGOs, etc.<sup>60</sup>

NGOs and other private bodies may serve public interest or only the interest of their members (Guyer 1994; Fox 1990; Fox and Brown 1999; Conyers 2000a:21). They

may be upwardly, downwardly or horizontally (to their peers) accountable within certain legal and moral bounds, but their objectives are determined by their members—not the public as a whole. Such privatization can lead to more exclusion than participation and to less public accountability (cf. Balland and Platteau 1996; Woodhouse 1997; Hilhorst and Aarnink 1999). Alden Wily (2000:7) points out, for example, that Namibia’s Communal Lands Reform bill’s intention “...to open local commons to individual entitlement, also threatens local forest tenure security.” In other places privatization of public lands takes place through forestry concessions which give private rights to corporations as in Mozambique (Alden Wily 2000:8).

Transfer of powers to other authorities, such as local chiefs, may also constitute privatization, depending on whether the chief is, as is often the case, an administrative auxiliary of the state (hence upwardly accountable), an elected official or a person dedicated to the local population (downwardly accountable) or just an autocratic local actor (an effectively private body).<sup>61,62</sup> For the purposes of this review, transfers of public resources to private bodies is not considered decentralization and therefore is not considered any further in this review.

## **Powers**

Without increased local autonomy, increased local representation has little meaning.  
Ole Therkildsen 1993:88

...The most contentious design issue in political decentralization has always been the problem of power-sharing between the centre and the localities.  
Walter O. Oyugi 2000:9

To empower local institutions and to build up their legitimacy, local institutions must control consequential resources and powers. Their effectiveness and legitimacy will depend on being able to make and execute meaningful decisions. They must therefore have a domain of discretionary decision making powers, that is a domain of local autonomy. It is with respect to this domain of powers that decentralized actors represent, are accountable to and serve the local population. Local actors without discretionary powers cannot achieve the benefits that community-based and decentralized approaches promise. Powers are an essential element in establishing local democratic institutions.

Powers are allocated based on various arguments evoking: national good, standard setting, economies of scale, technical capacity, ecological zoning, demographics, revenue base, equity and subsidiarity—the arguments are as varied as the previously discussed reasons that decentralizations are undertaken in the first place. Whichever arguments are used, however, in practice many important powers that principle would tell us should or could be transferred to local authorities, are still retained by central governments. Power transfers are always a political matter. They take place within and affect an existing mix of powers. The appropriate degree and mix of powers to be devolved is a political process of power brokering that is also linked to a number of important democratization issues such as the separation and balance of powers and legitimation. This section on powers discusses the kinds of powers that can be transferred, principles of transfer and some implications. Related issues of fiscal transfers are discussed among the other cross-cutting issues, below.

### *Kinds of Powers*

Four broad powers of decision-making are at play in decentralization (Agrawal and Ribot 1999:476). These powers are a) the power to *create rules* or modify old ones, b) the power to *make decisions* about how a particular resource or opportunity is to be used, c) the power to *implement and ensure compliance* to the new or altered rules, and d) the power to *adjudicate disputes* that arise in the effort to create rules and ensure compliance. These four types of powers correspond to three more familiar categories: legislative (creation of rules), executive (making, implementing, and enforcing of decisions), and judicial (adjudication of disputes). Decentralizations can involve any mix of such powers. While these are not discussed in and of themselves, keeping such powers in mind helps to identify the whole range of powers that can be considered for transfer. It also helps us to keep in mind classical accountability issues such as separation of powers and checks and balances, that apply to central governments and also have their corollaries in the decentralized arena (see discussion of Accountability, below).

Another typology of powers is also useful. Local authorities are often given powers in the form of obligations (mandates) and rights. Fully specified mandates from above do not constitute a discretionary power. Indeed, they may dis-empower an authority if the mandate is unfunded, if the funds are not sufficient, or if the mandate is not what the local population needs or desires. Mandates without discretion can make even elected authorities into deconcentrated administrative extensions rather than decentralized authorities. Rights too may not create a domain of autonomy if there are no means to exercise them. Nevertheless, there are many rights that can be transferred to local authorities that do create real powers and need no funding. The mix of powers that a local authority exercises must add up to some domain of autonomy in which they can exercise their discretion.

It is also important to consider the degree to which powers transferred to local authorities

### *Principles of Power Allocation*

The services central governments provide should benefit the entire economy or exhibit substantial economies of scale—for example, national defense, external relations, monetary policy, or preservation of a unified national market. Correspondingly, subnational units should provide local public goods. This model, which most established democracies have adopted, is also common to most countries that have recently decentralized...

The World Bank 2000:115

How to devolve planning and implementation powers while retaining sufficient central control over professional and technical standards is a key issues across all sectors (Conyers 1990:22). There is a big difference between what powers could and should be devolved, however, and which are devolved. "...Past experience with decentralization programmes suggests that in many cases very little significant power is actually transferred, while in others the powers that are decentralised are concentrated in the hands of a small local elite" (Conyers 2000:7). The same has been observed concerning natural resources (Ribot 1998; Agrawal and Ribot 1999). So, while it is important to

employ principles to determine which powers belong at which level, it is also very important to examine the politics of transfer and to understand when and why transfers do and to not happen.

Conyers (1990:20) suggests that the types of activities that are transferred are a critical dimension of decentralization. She distinguishes between service and productive activities and between routine services and development activities. She makes the point that control over development planning in the local arena requires the appropriate mix of activities if planning is to be effective, since effectiveness is partly a function of the ability of empowered authorities to coordinate among activities. She goes on to emphasize that each activity may also only be partially decentralized, for example, standards for healthcare and primary education curriculum and some financial contributions are retained at the central level while responsibility for education and health services are devolved. Effective local planning and implementation depend on the mix of powers devolved. "This is where the interrelationship between planning and implementation...becomes so important, because decentralization is only really effective if it includes decentralization of the power to make decisions, allocate the resources needed to implement these decision and actually execute them" (Conyers 1990:21) .

Local control of finance is an essential part of effective local planning, but local governments can rarely raise sufficient revenues "...to execute all the functions they are legally entitled to perform...let alone take on additional functions" (Conyers 1990:21). While this problem could be dealt with through untied grants from central government, most governments in Africa are reluctant to decentralize fiscal resources (Smoke and Lewis 1996; Conyers 1990:21; Mawhood 1983; Hyden 1980). Fiscal transfers are discussed in more detail under cross-cutting issues. One basic principle that is evoked in the decentralization literature is that decentralized fiscal resources must be sufficient to cover the cost of decentralized responsibilities. Ethiopia and Uganda have recognized the importance of this and have accordingly developed transfer programs that account for around 30 percent of central revenues in Uganda and over 40 percent in Ethiopia (Smoke 2000a:20).

Allocation of powers over nature is usually made based on ecological criteria and arguments concerning the 'national good'. The kinds of decision that must be made at a higher level of political-administrative aggregation include technical matters of national-scale management or the determining of national minimum environmental standards. These decisions might include the kinds of landscapes to be set aside for national or even global heritage or the kinds of practices required by all corporations and citizens to protect the quality of forests, pastures, agricultural lands and rivers. In forestry, they may include restrictions against woodcutting on steep slopes, a list of species to be protected, cutting techniques that optimize natural forest regeneration, or restrictions on size and age of species to be harvested to help optimize the economic value that can be derived from the nation's forests. In the urban landscape they may include air quality, sewer system and treatment plant standards. More local jurisdictions would be obligated to follow these nationally set standards with the option of including standards of their own that could be stricter, but could not violate the minimum set at the national level.

There is also an ecological zone logic that may dictate the lowest political-administrative level that decentralization can take. River systems, watersheds, migrating wildlife, nomadic pastoralist livelihoods, and trans-boundary pollution events cannot

always be managed from the most-local level. Some form of higher-level coordination and planning is called for. There are nevertheless, many decisions over the management and use of nature that can be devolved to the domain of individual rights, local governments, etc. For experience with such special districts see Ostrom, Schroeder and Wynne (1993). Also see Selznick's (1984 [1949]:6) discussion of the Tennessee Valley Authority, Baviskar's (n.d.—c. 2001) discussion of watershed management in India.<sup>63</sup>

In current decentralized forestry regulations, many powers remain centralized that could be devolved without any threat to forests. Other management standards and obligations, however, are being set by the central government that far exceed necessary minimum standards. Forest services across Africa choose to control the commercial values from forests by fixing in legislation or through decree who can cut forests, when they can cut them, who can transport forest products and how, where they can sell the products, who is permitted to sell them, etc. They retain at the central level of government control over the lucrative aspects of the sector. Further, central governments have set up such complex systems of forest management and management planning that their services are required by local governments in establishing a management plan before local governments can make any decisions as to how, when or by whom forests should be used. In effect, only the most trivial decisions and onerous obligations are devolved while the forest service maintains strict control over valuable aspects of forestry that are either lucrative or help to justify the existence of forestry departments. (See Ribot 1999.)

There are many powers that cost little if nothing to devolve (Hugodot in Clauzel 1995:51). For example, control over cadastral registries, decisions concerning whether or not a local population wants to exploit or conserve its forests, or the power to collect and use taxes on forest products, etc. Powers over natural resources, for example, can play an important roles to play in the transition to entrusted local government. There is a much greater realm of local autonomy over the disposition of nature that could be devolved into local government hands without any threat to the local ecology (see Ribot 1995; 1999a). Devolving greater control over natural resources and natural resource management can empower and legitimate local government by providing revenues and by giving local governments powers of decision over resources that affect the everyday lives of their constituencies. The revenues from and powers over natural resources can be combined with the other income and powers (over development decisions in other arenas) of local government to form the basis for local government action.

The mix of powers and obligations to retain at the center and to be devolved is a complex matter that requires critical analysis and informed public debate. Without such critical analysis and public debate, forest services around the continent, for example, will continue to micro-manage the forestry sector—for power and profit rather than for ecological sustainability and social justice. The principle of 'subsidiarity' calls for decisions to be located at the lowest political-administrative level possible without negative effects at a higher level (Føllesdal 1998:190; cf. Principle 10 of the Rio Declaration).<sup>64</sup> This principle could be very powerful in combination with a minimum environmental standards approach. Following the subsidiarity principle, decisions that can be made by citizens without any regulation, should be established in the domain of citizen rights. Decisions that can be made by local government—without jeopardizing

social and ecological well-being—should be retained at that level. The subsidiarity principle does not appear to be followed in most African environmental decentralizations.

In short, a number of factors shape the most appropriate level at which different powers should be located. These include whether there are externalities for larger scales, economics of scales, scale of ecosystems, scale and availability of technical and financial capacity<sup>65</sup>, the nature of national vs. local goods. These factors can be applied differently depending on whether the objectives are efficiency, which might best be achieved at intermediate levels of governance, or democracy and participation, which are best matched to the lowest levels of governance and the smallest governance units (Conyers 2000a:19-20). All of these factors and objectives, are also open to political manipulation. Specious scientific arguments can be used by powerful central actors to justify central control of nature (and particularly the most lucrative resources), even when there is no technical reason not to devolve powers (Fairhead and Leach 1996; Roe 1996; Ribot 1999b). Central authorities can also often use specious capacity arguments—concerning literacy, technical skills, financial and management skills—to justify maintained central control (see Capacity section). It is for these reasons that it is critical when devolving powers to critically separate out the truly technical from the political arguments so that the debate on transfer of powers can proceed.

### **Accountability**

Rulers claim to be responsible to their people; people try to hold them to account. Accountability is thus the measure of responsibility.

John Lonsdale 1986:127

Some analysts might argue that certain benefits of decentralization could be realized through participatory mechanisms that fall short of local elections. Others might suggest that local elections do not automatically lead to greater autonomy or better local government performance, and that some means beyond elections for consulting constituents and improving their ability to hold local officials accountable must be developed. The challenge is to find an appropriate set of governance mechanisms.

Paul Smoke 1999:10

The essence of accountability is answerability; being accountable means having the obligation to answer questions regarding decisions and/or actions.

Derick Brinkerhoff 2001:2

...Citizens can only legitimately authorize representatives and hold them accountable if there are many avenues and institutions through which they engage with both each other and their representatives.

Iris Marion Young 2000:8

Moore (1997:3) defines democracy “...as a sub-species of a broader concept: the accountability of state to society.” By broadening his thinking beyond procedural definitions of democracy, Moore provides us with a good starting point for examining the multiple relations of accountability that hold state authorities accountable to the public. Accountability, in essence, is the exercise of counter power to balance arbitrary action (Agrawal and Ribot 1999:478). Brinkerhoff (2001:2-5) develops a typology for analyzing accountability in which he breaks accountability into ‘answerability’, and ‘enforcement’.

Answerability refers to the obligation to provide information and explanations concerning decisions and actions. Enforcement is the ability of overseeing actors to apply sanctions if they don't like the answers they are getting. He distinguishes between accountability that is applied by actors located within and outside of the state. Those within are enabled to apply sanctions to other institutions or agents within the state. This 'horizontal accountability' is the essence of separation of powers that defines a democratic system. The ability to apply sanctions from outside the state, or 'vertical accountability' involves the array of means by which the public can sanction state actors. Brinkerhoff (2001:4) points out that accountability from outside the state is characterized by relations with 'accountability agents' within the state—as when a journalist exposes a corruption case, its impact will depend on the judicial system following through with prosecutions (cf. Blair 2000).

The most commonly cited means of for holding the state accountable to the public—the aspect of 'vertical accountability' that I call downward accountability—are electoral processes.<sup>66</sup> As Crook and Sverrisson (2001:50) observed in their study of decentralization's effects on poverty reduction, "...fair and competitive elections were a key factor in developing public accountability in the most successful cases." As a key accountability mechanism, elections need to be carefully scrutinized. While they may be important (where they exist), they are not always well structured or sufficient in and of themselves to guarantee participation. Electoral systems must be analyzed for how candidates are chosen, suffrage, term lengths, means of recall, etc. (Prud'homme 2001; Ribot 1999). Many elected officials are not accountable to their constituencies—even when the electoral system is well crafted. Elite capture and other problems constantly emerge (World Bank 2000:109,121; Smoke 2000:17-9; Ribot 2001; Crook and Sverrisson 2001). In some countries, such as Ghana, Mali, and Uganda, local government is democratically representative in form. Procedural democracy appears to be in place. Whether it is accountable in practice is yet another question (Ribot 1996; 1999; Crook and Manor 1998; Parker 1995).<sup>67</sup> It is the substantive element of downward accountability that must be present (Moore 1997). One thing that is certain, as Olowu (2001:57) points out, "compared to national elections, local elections have not been seriously studied."

There is wide agreement that "...accountability of local governance institutions constitutes a major problem of democratic programmes" (Olowu 2001:51). Governments in Africa generally create local institutions that are upwardly accountable to the central state (Oyugi 2000; Ribot 1999; Wunsch and Oluwu 1995; Mawhood 1983; Crook and Sverrisson 2001). For example, as discussed above under 'Actors', many local governments are constituted only of actors effectively appointed by central government. In countries such as Cameroon, Ivory Coast, Niger, Senegal and Zimbabwe, where candidates for local elections can only be chosen by political parties, they may be more accountable to the parties than to the local populations that 'elect' them (Ribot 2001). Further, even when independent candidates are admitted to local elections, there are many ways that local elite or political parties are able to capture the electoral process, bringing the local accountability of leaders into question (Crook and Sverrisson 2001). Nonetheless, elected representatives are one important building block in the construction of accountable local government so critical in decentralizations.

Local governments are usually constituted by some mix of local elected representatives and centrally appointed administrators. These public servants in elected or appointed positions may be held accountable via multiple mechanisms—in addition to elections. These can include: legal recourse, separation of powers, polycentricity, balance of powers, third-party monitoring, lobbying, free media, transparency, information provision, public discussions, public reporting, participatory processes, social movements, civic education, discretionary powers for governments, proximity, embeddedness, ideologies, civic dedication, reputation, trust, administrative dependence on local government, taxation, central government oversight, public service performance awards, performance-based contracts, etc. These are mechanisms that that could work to increase downward accountability and reduce some forms of elite capture (cf. Olowu 2001:56).<sup>68</sup> Each of these accountability mechanisms and the literature that addresses them are discussed in Annex C.

In addition to the above means of accountability, attention must also be paid to the making of other levels of government accountable to local government. Crook and Sverrisson (2001:32) report poor local government performance as being partly due to local government not being able to make higher officials and appointees accountable to them. In addition to the mentioned mechanisms that make local governments accountable to local populations, Onyach-Olaa and Porter (2000:1,9) argue that local government's downward accountability is contingent on central government accountability in playing their roles of delivering timely and accurate policy guidance, monitoring, mentoring, compliance verification and so forth. They make the same arguments for donors in their efforts to support local government. When local government needs the assistance of donors or of district, regional or central government, either for coordination of larger-scale actions or for expertise and equipment, mechanisms must be in place to help assure that these services will be adequately delivered in a timely manner. "Local Government accountability, of much concern to the centre and donor agencies, is contingent on accountability of these agencies" (Onyach-Olaa and Porter 2000:3).

Conversely, the World Bank (2000:121), Crook and Manor (1998) and Parker (1995:27) argue that locally elected representatives—under electoral rules that encourage participation and representation—can make central government more responsive to local needs. Relations of accountability between administrative and representative branches of local government are also important in holding local authorities accountable to local populations (Personal Communication, Doug Porter 1999; cf. Porter and Onyach-Olaa 2000). These vertical and horizontal ties within government can shape the relation of accountability between local government actors and their constituencies (Blair 2000). Similarly, the relations between customary authorities and their administrative superiors in government can positively or negatively shape their relations of accountability (in many countries chiefs or headmen are assistants to the *sous-préfet* or district officer) (see Ribot 1999).

Some important limits on thinking about accountability are outlined by Therkildsen (2001:7-8). First, he points out that the ideal of accountability mentioned by Blair (2000) in which administrators are accountable to elected officials who are in turn accountable to the public through elections does not hold up even in consolidated democracies. In practice, he argues, bureaucracies are highly complex that are neither tightly rule bound nor controlled. Bureaucrats do not always loyally implement the

decisions made by politicians, and it is often impossible to separate the making from implementation of policy. Often they have reasons to override the irresponsible, opportunistic and self-serving of elected officials. These phenomena, of course, are accentuated when governments ignore social, ethical, constitutional or legal principles, when administrative tasks are poorly specified or overly complex, when activities are underfunded, knowledge is limited, information is withheld, checks and balances within the state and between state and society are weak, corruption is widespread, special interests dominate, patronage is a common mode of operation, etc.

Aid dependence and windfall income can also weaken the kinds of accountability discussed above. Therkildsen (2001:8) points out that it is difficult to expect government to be accountable to the citizens when finances come from outside donors. Donors require governments to account to them, weakening other lines of accountability. As Moore (1997) also points out, states are not likely to be accountable to a population from whom they do not earn their income through taxation.<sup>69</sup> In countries that draw most of their income from extractive industries such as oil, timber or mining exports, are less dependent on their people for revenues, also creating a disconnect between state and society (Yates 1996; Watts 1987). These structural problems concerning aid dependency and other financial flows, along with the broader issues such as separation of powers, and the structure of the political system put the accountability into a larger perspective.

There is another very important consideration about the relation between accountability and representation. Society is highly differentiated. More marginal groups within society will be less able to take advantage of certain accountability mechanisms, thus skewing the accountability toward more privileged groups. Because of this, there is always a need for multiple mechanisms that privilege marginalized or disadvantaged groups if they are to be included in the political process (Young 2000:8). Crook and Sverrisson (2001) point out that that for serving the poor, "...the most successful cases were the ones where central government not only had an ideological commitment to pro-poor policies, but was prepared to engage actively with local politics..., to challenge local elite resistance if necessary and to ensure implementation of policies" (2001:48). Many of the other mechanisms mentioned above and discussed in Annex C can also help to include marginal groups in public decisions.

This discussion, along with Annex C, illustrates that there are many means by which accountability can be constructed or enhanced. All of these means can help make elected or non-elected leaders more locally accountable. Some can be used as policy tools, others are less amenable to manipulation. There remain many questions concerning why more of these measures are not already in use, how to get them in place and what their individual and interactive effects actually are. These measures increase the responsiveness of state to society. Whether, how and under what conditions the increase of responsiveness leads to more efficient and just outcomes is yet another question that should not be forgotten.

#### **IV. Implementation**

The tendency of democratic participation to break down into administrative involvement requires constant attention. This must be seen as part of the organizational problem of democracy and not as a matter of the morals of good will of administrative agents. .... Like all conservative or pessimistic criticism, such a statement of inherent problems

seems to cast doubt upon the possibility of complete democratic achievement. It does cause such a doubt. The alternative, however, is the transformation of democracy into a utopian notion which, unaware of its internal dangers, is unarmed to meet them.

Philip Selznick, *TVA and the Grass Roots* 1984[1949]:265.

There are important cross-cutting issues that emerge when designing and implementing decentralization. Some have been evoked above, others introduced below. This section briefly examines administrative-political relations, planning processes, enabling environment, means of transfer, fiscal transfers, capacity, legitimacy, conflict and negotiation, elite capture, and sequencing. Decentralizations take place in a larger political-administrative hierarchy. How decentralized local authorities are located in this bigger context shapes the extent to which they can exercise their powers and the extent to which they are locally accountable as decentralizations are being implemented.

### **Administrative-Political Relations, Oversight and *Tutelle***

...Central governments in decentralizing countries tend to compensate for their loss of direct control by stepping up their regulation of subnational governments.

The World Bank 2000:120

In the early 1960s, four types of decentralization were identified by a UN Study Group on decentralization :

1. **Comprehensive local government system** in which most government services at the local level are rendered through multipurpose local authorities;
2. **Partnership system** in which some direct services are rendered by field units of central agencies, and others, but local authorities;
3. **Dual system** in which central ministries administer technical services directly, with local authorities having local autonomy to perform local services and to do what they can to foster local development but actually performing few, if any, technical services either directly or on behalf of central agencies; and
4. **Integrated administrative system** in which central agencies directly administer all technical services with the help of central government area coordinators or district administrators responsible for field coordination. Such rural local authorities as exist have little control over government activities. (Oyugi 2000:8.)

On the administrative side Oyugi (2000:8) describes two kinds of arrangement: 1) an **integrated prefectoral system** in which the prefect appointed by and responsible to the central state is superior to and coordinates local activities of all ministry agencies and local authorities, and 2) an **unintegrated prefectoral system** in which “the prefect is first among equals” in which line ministry agents are directly responsible to their parent ministries and the prefect interacts with ministry agents and local authorities but is not superior to them.

In Francophone Africa, the integrated prefectorial system is in place to maintain a strong state presence throughout each country. It is called the system of *tutelle*. Under *tutelle* the autonomy of elected local authorities is severely limited by their subordination to the *préfet* or *sous-préfet*—usually involving the required prefectorial approval of every significant decision—by an administrative appointee (see Ribot 1999; 1998).<sup>70</sup> There is broad agreement that a strong state that already maintains a real presence throughout the country is necessary for successful decentralization. Because states are relatively weak in

Africa, countries inheriting the French administrative system have justified accompanying decentralization by deconcentration of services to the level of local government to maintain coherence. (Mbassi 1995:24).

Anglophone countries tend to be under the unintegrated system. But in practice the two systems are similar, both run in an ‘integrated’ manner with tight *tutelle*. Oyugi (2000:10) observes that “there has always been a tendency on the part of the parent ministry to regard various units of local authorities merely as its administrative appendage.” After examining constitutions and legal acts of parliament in Botswana, Kenya, Tanzania, and others, Oyugi determined that Ministries of local government enjoy overwhelming power over local administrative and political authorities.

*Tutelle* may be one of the most insidious ways in which the achievements of decentralizations are taken back. In Senegal’s forestry sectors planning processes are being implemented that make almost all decisions concerning the exploitation and use of forest products into technical decisions requiring forest service oversight. In Senegal, the system determines who can cut wood, when, how much, where. It also determines who can trade wood products, who can transport them, and the prices at which it can be sold. Local populations are integrated into the production process as laborers and in some cases, the labors they are required to perform if they are to engage in woodcutting are not worth the benefits reaped from the activities. Not only are they not worthwhile, but they are not even technically necessary. Villages, however, risk losing their forests to outside commercial interests if they do not decide to ‘participate’ in this form of forest management. Here there is little local autonomy created. Local populations are faced with the choice of excessive labor or of losing control of surrounding forests. (Ribot 1995.)

In Mali, a progressive decentralization has given new powers over forests to elected rural councils. The forest service director, however, feels that the new councilors are “ignorant” and “illiterate” and therefore are not ready to manage forests on their own (Personal Communication, November 2000). They are now developing plans for slowly releasing management powers to local populations—contrary to the laws of decentralization that give them these powers without such conditions. This form of *tutelle* in which the forest service judges when local authorities have the capacity to manage their own affairs may never result in true decentralized forestry. In Mali’s cooperatives, the agricultural service historically had the power to determine when a cooperative was mature enough to manage its own finances and to request loans directly from the banks (rather than going through the agricultural service). Very few cooperatives ever were promoted to the full-cooperative status under these regulations (Ribot 1998a).

Blair (2000:21-23) points out that the appropriate elected-administrative relations in a politically decentralized local government system are that the elected authorities be accountable to the population and the administrative bodies be accountable to the elected authorities. Local governments often do have their own administrators and technical agents under their direct control. There are also the technical and administrative agents of the central state, who rarely appear to be accountable to elected local authorities. There are mechanisms to subordinate these central authorities to local elected authorities that are listed under accountability mechanisms (above and in Annex C). Clearly, however, there are other functions of deconcentrated authorities that must remain accountable to the central state. This brings us back to the unresolved question of which powers *should* be local and which should be centrally controlled, discussed above under powers.

The critical point for democratic decentralization is that there must be a domain of local autonomy for elected local authorities. Therefore, the powers that are designated for local governments should not be subject to administrative approval. In Mali there is an ongoing discussions about shifting the function of *tutelle* from one of approval to a role of “legal control.” As a legal control body, the prefectorial staff or the line ministries would have the job of assuring that local government exercises its powers within the law. It would not, however, have the authority to direct how those powers are used. They may also have an advisory role on local matters, but they would not have decision-making powers over those matters deemed to be for local elected authorities.

The difference between administrative and political local bodies is that administrative bodies do not need to be accountable to local populations they need to be responsive to them, while local political bodies do need downward accountability. Administrative bodies can be accountable to the central state or to the local political representatives. The degree to which political bodies are downwardly accountable to the local population is the extent to which they are democratic in nature. All systems of local governance have a mix of upward and downward accountability and of administrative and representative structures. But, without a domain of local autonomy in the hands of a downwardly accountable local body, there cannot be said to be democratic or political decentralization.

Based on a study of five District Councils and over 100 Sub-county Councils in Uganda, Onyach-Olaa and Porter (2000) observed that it is also necessary that the roles of central government be provided in a timely and effective manner for local government to be effective. They point out that the effectiveness of local government depends on the accountable action on the part of central government in providing funds, technical and policy advice, compliance verification and backstopping. These are functions that enable the domain of local autonomy of elected local government.

### **Planning Processes and the Problem of Instrumentality**

If the objectives associated with decentralized planning are to succeed, the design of the local-level organization must be such as to allow for democratic governance. ...popular participation can have meaning only where the structures exist for meaningful, not symbolic, participation. A spirit of ‘give and take’ must prevail among the participants... And here lies the major obstacle facing the realization of meaningful participation. The process of give and take is one that takes place only among equals, which is not the case in the kind of situations that obtain in development organizations.

Walter O. Oyugi 2000:14

Conyers (1990:16) indicates five typical justifications for decentralization as a planning and development tool. These include: “increase popular participation in planning and development; Make plans more relevant to local needs; facilitate co-ordinated or ‘integrated’ planning; increase speed and flexibility of decision-making; generate additional resources; and encourage more efficient use of existing resources.”

But Oyugi (2000:13) points out that the advantages mentioned above are “...claims and expectations and not hard facts.” These kinds of outcomes depend on conditions such as real power sharing and meaningful participation. Without these the effects may counter the objectives. These conditions often do not attain. Planning for development is usually accompanied by centralizing tendencies. Much of administrative

decentralization has taken place for development purposes. This has been about sharing of powers between central ministries and their field units to enhance project design and implementation.

Montgomery and Esman argued in 1971 (cited in Oyugi 2000:14) that where joint decision making is conducted between government and people, the tendency is for the government representative to use participation "...as a means of control..." The available evidence indicates that popular participation has contributed little to local-level planning. Instead, what occurs is that the national intersectoral planning organization and the individual ministries usually create ad hoc teams take over the process. "Therefore, it could be said that the act of producing a regional/district plan in the field under the guidance of central government with local participation (including central government field officers) does not constitute local-level planning" (Oyugi 2000:14).

Oyugi (2000:15-6) also points out that where interventions are meaningful to local populations—where they "...perceive their participation to be beneficial in a development situation..." they are willing to contribute. In this sense, there is ample evidence, such as the experience of Kenya's *harambe* self-help movement, that resources can be mobilized in local-level planning. But, the evidence also indicates that when the benefits fail to materialize, interest and contributions decline in these planning and development initiatives.

Local development committees have been created across Anglophone and Francophone Africa. They are consistently administrative bodies coordinated by political administrators, such as provincial administrators in Kenya, district administrators in Botswana, regional and area administrators in Tanzania, Prefects in Senegal and Ivory Coast, etc. Oyugi (2000:15) points out that in the more developmentalist states, such as Tanzania, Zambia and Zimbabwe, these committees were creations of the central government and were consistently directed by the ruling party. In more *laissez-faire* capitalist states (including Botswana, Kenya and Lesotho), the committees lacked coordination due to the lack of authority of the responsible administrative officers and insufficient powers to make binding decisions. These committee-based approaches have not lived up to expectation. (Oyugi 2000:15.)

Oyugi (2000:15) also points out that the assumption that local-level development committees can make quicker and more flexible decisions cannot hold where they are embedded in a hierarchy. What he calls "strong" decentralization—presumably with more empowered and independent local authorities such as during Kenya's early years of 'district focus' in the 1980s—must obtain, which it rarely does.

Planning processes pose major problems in decentralization. There may be important contradictions between notions of national planning that embody goals such as development or environmental management and the goals of the local populations that decentralization ostensibly gives a greater role in decision making. The central problem is integrating local needs and aspirations into the national planning process without losing the broader development objectives that planning can serve or undermining the inclusive/participatory processes that decentralization is supposed to embody. It is the problem of integrating national-level with local objectives through inclusive and just processes.

Within these state-local tensions, there is always a "...tension between the technocratic practices of development managers and the newly pluralistic political

practices created by processes of democratization” (Shivaramakrishnan 2000:431; cf. Engberg-Pedersen 1995:2-3,26). As was observed in the early 1940s in U.S. grass-roots development efforts, “The pressure to ‘get things done’ has tended to encourage appointment rather than elections” (Lewis cited by Selznick 1984 [1949]) Unfortunately, as Conyers (1990:28) points out, “...the sort of decentralization programme which is likely to maximize efficiency in the delivery of services or co-ordinate planning is unlikely to also maximize popular participation.” Similarly, “the approach which is most appropriate for the implementation of national development policies is often not that which will best meet local needs and priorities.” (Conyers 1990:28.)

There is a frequent contradiction in decentralized and participatory policies between means and ends. Both decentralization and participation are about creating a domain of local autonomy for local populations. This is a matter of process. But, decentralization and participation are often used as instruments for achieving particular developmental goals, such as better environmental management. When they become instrumental, “councils and development committees will *de facto* turn into advisory boards and meetings into hearings” (de Valk 1990:9). Utting (1999:154) observes that “...participation has often been reduced to getting local resources users a) to support externally designed initiatives motivated by an outsider’s perception of what constitutes an environmental problem and how it should be addressed, and b) to involve themselves in project implementation by providing labor and other resources in return for what amounts to a minimal benefit.” He goes on to state that “This ‘instrumental’ approach to participation contrasts sharply with the ‘transformative’ or ‘empowering’ notion of participation referred to elsewhere....”

By decentralizing central governments lose some control over local development and management. This may be a good thing or a bad thing depending on whose point of view is taken into consideration. Donors too may lose some control over the local arena where priorities may differ from those of donors. As Rothchild (1994:8) points out “...international agencies often emphasized programs to increase agricultural production, whereas local citizens were primarily concerned with improved amenities and social services” (Rothchild 1994:8). In Uganda, environmentalists expressed frustration because the Local Council’s executive committee ignores environmental issues. The committee is charged with production, marketing and environment. The committee, however, is mostly interested in development rather than environmental issues. Consequently, financial support for environmental activities is not forthcoming. (Saito 2000:14).

In Mali, as the state is setting up democratic decentralized local government the forest service is creating a system of planning that threatens to re-centralize powers (discussed further in the discussion of Administrative-Political relations, Oversight and *Tutelle*). By requiring management plans for every village, they are placing almost all discretionary decisions that decentralization laws have placed in the local domain back in the hands of the forest service. While less democratic in the local arena, similar planning processes are centralizing control over forest management in Senegal, Cameroon and Uganda (Ribot 1999,1998; Brown 1999; Cappon and Lind 2000:43).

There are two arenas of planning that are important to keep separate. The first is that of the local arena in which planning is a matter of how local authorities will proceed to use the powers and resources within their domain of local autonomy. The second is national planning where the problem is one of having a process that does not override

local initiative within the domain deemed to be under local control. Again this is a matter of clear division of powers between central and local government and the maintenance of that division within planning processes.

Planning and coordination are necessary management tools at every scale of action. They must be exercised with care so that they do not become a re-centralizing mechanisms where powers are devolved through legislation to local government and re-captured by centrally controlled planning authorities in the name of technical necessity or *tutelle*.

## **Enabling Environment**

DD [democratic decentralization] without wider institutional, political and economic reform is a contradiction....

Dele Olowu 2001:55

Decentralization of any sector depends on decentralization writ large. It is useless to speak of environmental-sector decentralization, for example, without speaking first of local representation, rights and recourse. These basic elements of good governance form the enabling environment for transferring powers to downwardly accountable actors in the local arena. There are a number of key elements of the legal environment that shape how decentralizations take place and their consequences. Decentralization requires not one or the other of these elements, but the appropriate configuration of them all.<sup>71</sup> Below, I organize these elements around ‘actors, powers and accountability’, the essential elements of local institutional configurations that make up decentralizations. But there are other factors, such as coordination that can also foster the decentralization process.

The characteristics of *actors* empowered in decentralizations are shaped by the very structure of government and the ways in which different actors are chosen. Constitutions and Organic codes play an important role. These set up the levels of government (federal, regional, and local) among which powers and responsibilities over nature are divided. They shape the scale of different jurisdictions—which has important implications for efficiency and for participation (Conyers 2000a). These codes determine the actors present at each level of government, which of these actors are to be elected and appointed, and the relation between elected and appointed officials. Constitutions also determine the legislative processes and the array of legal instruments by which governments can make or limit laws and associated rights. They determine the balance of powers and the relative strength and independence of executive, legislative and judiciary branches of government. Electoral codes shape who is represented by elected officials and how accountably. These laws determine the nature and frequency of elections, who can run and who can vote.

*Powers* held by different actors are primarily determined by technical and tax codes. Technical codes are the bodies of law concerning specific sectors of society and economy such as land tenure, forestry and pastoral laws. They specify who gets to make which decisions over the sector in question—appointed officials, elected representatives, technical services (such as the Forest Service), corporations, cooperatives, NGOs, or private citizens. Smoke (1999:9; 2000:20) points out that “...clearly defined responsibilities for local governments” are a central element of the enabling environment. The structures of oversight, *tutelle* and *encadrément* that ministries use to maintain

control over sectors and the people who work within them are mostly set out in sectoral technical codes. These are important and often hidden instruments that determine the distribution of the power of control over people and nature.

Tax codes help define the sources and magnitude of financial *powers* at each level of government—and in a very important sense, taxes influence the accountability relations of a given unit of government (see Moore 1997). They also structure certain fiscal incentives concerning the use of nature and natural resources. Taxes on natural resources are often specified in technical codes. Fiscal transfers are also specified in various technical codes. What appears most important in enabling local government effectiveness is that these fiscal resources, whether obtained through transfers or taxes, accompany the responsibilities and expenses that local governments are faced with (World Bank 2000:124).

*Accountability* can also be enabled by legal instruments. Judicial, criminal, civil, penal and police codes uphold the above laws determining who has official jurisdiction over the management and disposition of resources. They also clearly set the framework for channels of recourse and the ability of citizens or local authorities to defend rights in general. Laws governing associations, cooperatives, economic interest groups, and lobbying are critical for providing protections to individuals and groups within society wishing to organize and act for social, cultural, economic or political purposes. Environmental associations, cooperatives and NGOs may not be able to operate without the legal status these laws can provide. These laws can create the enabling framework for local groups to organize into PVOs, NGOs, cooperatives, associations, etc. (see Wolfire, Brunner and Sizer 1998:19). Such groups may be able to operate to enhance local and central government accountability.

Laws governing forms of citizenship shape how people identify with territory (residence-based citizenship) or ethnicity (ethnic based citizenship). These identities are very important for access to resources. In Mali, for example, "...the visiting Bambara, Fulani and Maure must accept, largely, the terms dictated to them by those who can claim to be proper Dalonguebougou residents" (Brock and Coulibaly 1999:152). Citizenship can empower people to make demands on government authorities and representatives. Citizens have representation, rights, and recourse. Under most current local governance systems, people lack these basic elements in Africa. Rather than being citizens, they are managed under administrative political-administrative arrangements (Mamdani 1996; Ribot 1999). Creating citizenship requires the same wide array of legal protections that enable decentralization writ large.

Smoke (2000:20) points out that another important element of an enabling environment is coordination among the various central agencies affected by decentralizations (particularly through loss of power). He points to the relatively successful cases of Ethiopia and Uganda. These countries have set up special-purpose agencies that are more neutral than other agencies involved and operate with higher level mechanisms to oversee and coordinate reforms. In Ethiopia the agency is attached to the Prime Minister and in Uganda to the Permanent Secretary for Local Government. Mali, where I have recently been working, also has such an agency attached to the Prime Minister's office.

There are broader political and economic 'enabling' and 'disabling environments that also need to be addressed. Utting (1999:178) observes that "the policies, programs

and projects promoting [the participatory conservation] approach generally focuses narrowly on forests, tree planting and soil conservation, and the democratization of decision-making processes associated with their design and implementation, but often fail to address broader structural and systemic ‘causes’, for example, economic degradation, poverty and ‘disempowerment’.” He also cites structural adjustment and “...the concomitant impoverishment and migration to upland areas...” and a hemorrhaging of financial resources for debt servicing, as ‘root causes’ of environmental decline. Hence, to enable decentralization to address these issues, the broader economic policy environment needs to be addressed.

The macro-economic enabling or disabling environment is especially great importance. Decentralization is always challenged by bad economic conditions and contrary macro-economic policies. Crook and Sverrisson (2001:24,33) give examples where fiscal crisis and structural adjustment programs undermine the effectiveness of by depriving them of fiscal resources (cf. Utting 1999:175-6). As Conyers (personal communication, February 2001) points out, there are real difficulties in “...(a) decentralising powers effectively while at the same time making drastic cuts in public expenditure; and (b) establishing effective local governments in the harsh macro-economic environment which tends to accompany structural adjustment reforms.” These macro-policy issues need much more discussion, but are beyond the scope of this review.

### **Sustainability and ‘Means of Transfer’**

...It is important to secure both local government and decentralisation in the constitution. Once that is done, it is no longer possible to treat local government as a game of football, with each successive government playing it according to its taste and changing its form, structure and content by legislation. Indeed if national constitutions were to change as often as our local government structure and systems are changed by legislation, there would not have been the required stability for growth and development.

Kwamena Ahwoi, Minister for Local Government and Rural  
Development of Ghana, 2000

Conyers (1990:20) makes a brilliant contribution to the literature on decentralization by proposing ‘means of transfer’ as a critical dimension of decentralization. Sustainability of decentralization reforms rests on the means used to transfer powers from central government to other entities. ‘Means of transfer’ can be constitutional, legislative or they may take place through ministerial decrees or administrative orders. Constitutional transfers are the most sustainable (see Conyers 1993). Ghana, Ethiopia, Mali, Senegal, South Africa, and Uganda all have constitutional clauses that assure some degree of government decentralization (UNCDF 2000:6).<sup>72</sup> While these clauses do not specify which powers are decentralized, they provide leverage for lawmakers to establish and maintain decentralized governance arrangements. The specification of the powers to be decentralized—whether or not there is constitutional support for decentralization—usually takes place through legislation or through decrees and orders, which are less stable forms of transfer, that can change with the balance of powers among parties or the whims of the party in power.

Conyers (1990:25) distinguishes between legislation and ‘non-legal’ means of decentralizing powers. Legislation can be divided into constitutional and ordinary

legislation (the first common in federal states the second in unitary states). ‘Non-legal’ means include political directives (decrees administrative orders) or military decrees. Different means of transfer determine the effectiveness and permanence of transfer. As Conyers (1990:26) points out, “...a political directive is likely to be more effective than an administrative one, but legislation is likely to be more effective and more permanent than either, and constitutional legislation, which is more difficult to change than ordinary legislation, is usually the most effective and permanent—but therefore also the least flexible—means of all.”

In environmental legislation in Mali, Cameroon, Senegal, Guinea, Burkina Faso, Zimbabwe and certainly elsewhere, decisions concerning the allocation of important powers are left to be made by ministerial or administrative decree. In Mali, for example, decentralization is called for by the constitution, while decentralization of powers over nature are called for in environmental legislation such as the forestry code. But, within the forestry code ratified by the National Assembly in 1996, the powers to be devolved are left to be specified by decree of the minister responsible for forests. The procedures to resolve disputes over forestry matters will be specified by order of the state appointed governor of each region. The legislation provides no guidelines for distributing decision making powers. Hence, the decentralization in the environmental sector is ultimately reserved as a discretionary matter for the ministry responsible for forests and its administrative staff. In this manner, what appears to be a constitutional guarantee is transformed into an executive branch discretion. These legal arrangements concerning environmental decentralizations, which are common elsewhere, make environmental decentralizations vulnerable to political manipulation and make the benefits of such decentralizations less secure for local populations. (Agrawal and Ribot 1999.)

Oyugi (2000:7) suggests that “...decentralization does not involve the *right* to control or determine the course of action to be pursued on the part of subordinates, since those receiving delegated authority act for those who delegate it, whether by law or administratively” (emphasis added). There is an important distinction, however, between rights and privileges that Oyugi fails to bring out. Local governments in political decentralization can have rights. The distinction between rights and privileges is key in the construction of local autonomy, whether for governance units or for individuals. Privileges are delegated. Privileges are subject to the abuses of the allocating authority who may give them and take them away at whim.<sup>73</sup> Rights, however, are held by *citizens* who have representation and recourse in the event those rights are denied. The domain of local autonomy in which individuals and local authorities can act freely is defined by rights and protected through representation and recourse. Without these, local authorities and people become *subjects* to the whims of higher administrative powers. They are managed as subjects rather than enfranchised as citizens. They are given privileges that can be taken back rather than rights they can defend. Franchise is a constitutional or statutory right or privilege. Enfranchisement is about establishing such constitutional or statutory rights or privileges. By definition democratic decentralization—the form from which we expect the most benefits—is about local enfranchisement. Hence, whether powers are transferred by delegation or by legislation is a core matter in democratic decentralization.

Transfers made in the form of rights—whether rights over property or over decisions—rather than delegated privileges reflect the degree of government commitment

to the decentralization process. Meinzen-Dick and Knox (1999:13) examining natural resource management and issues of property argue that “transferring property rights as part of devolution programs demonstrates a commitment on the part of government to the devolution process.” While a mix of means of transfer are usually required, the unbalanced mix of mechanisms leaving inordinate control with the executive branch can often represent reluctance on the part of central governments to decentralized.

### **Fiscal Transfers**

“...one must come to the painful conclusion that a combination of centralizing tendencies at the centre and structural weaknesses of local authorities have deprived them of operational autonomy and consequently made them more dependent on the central government in the discharge of their responsibilities. In the process, they have lost voice and therefore initiative in the governance process, and, as a result, they cannot be regarded in any way as having contributed positively to either democratic governance or democratic development. This is likely to remain so as long as local authorities continue to rely on the centre for resources required for their own operation and even existence.

Walter O. Oyugi 2000:12-3

The guiding principle of revenue assignment is straightforward: finance should follow function.

The World Bank 2000:117

Much of the decentralization literature evokes the need to devolve fiscal powers sufficient to deliver services local governments are responsible for (see Crook and Manor 1998; UNDP 1999). Fiscal resources are a critical part of all of the powers mentioned above. Without them, local authorities may have difficulties operating and may not be able to implement or enforce their decisions. But, the lack of revenue mechanisms—whether they be local taxation powers, rights to a fixed portion of national government revenues, or block grants from central government—has stymied decentralizations everywhere. The failure to empower local governments with fiscal resources or revenue generating powers undermines their effectiveness in the short run and their legitimacy over the long run.

There are numerous means by which local authorities can derive revenues. They can be allocated a portion of the national tax revenues, given unrestricted or earmarked block grants or can be empowered to collect land, income or commodity taxes locally.<sup>74</sup> Each of these mechanisms has implications for inter-jurisdictional equity, accountability, and legitimacy. Each has a differing degree of reliability, room for political and social abuse, etc. Different means of fiscal transfer—involving earmarking or required cost sharing—may also have implications for whether local populations take part in the activities the resources support.

In Ghana all three mechanisms—a portion of national tax, grants and local taxation—are in place. But, a number of issues nevertheless emerge. The transfers and taxation powers are for the district-level assemblies. This level is not the most-local level of government, although there are 110 of them nationally (Ahwoi 2000:1-3). This is a rather large scale to call ‘local’. Further, the transfers are made with excessive executive control since “the ceded revenue is centrally collected by the Internal Revenue Service and shared annually to the District Assemblies based on a formula approved by Cabinet.

The formula is presented by the Minister for Local Government and Rural Development” (Ahwoi 2000:3). Note that discretion for distribution remains with the executive since the Cabinet and Minister presenting the formula are both of the executive branch. Nevertheless, in Ghana, the Minister for Local Government still lists “Inadequate funding to enable DAs [District Assemblies] to perform the newly transferred functions, while the Ministries and Departments from which these functions have been transferred continue to hold the funds in their budgets at the centre” (Ahwoi 2000:4; cf. Porter and young 1998:515).

Financial crisis can also undermine decentralization’s success. Structural adjustment programs impede can also decentralizations by depriving the central state of resources it would need to support local government reform. Crook and Sverrisson (2001:33) point out that in Ghana, if all of the factors impeding decentralizations “...are combined with the resource constraints, both administrative and financial, which resulted from the coincidence of the decentralisation programme with a series of structural adjustment programs, then it is not difficult to see why the development performance of the Assemblies [elected local governments] had little responsiveness to the needs of the poor” (Sverrisson 2001:33). They also help explain local government program failures in Ivory Coast by pointing to “...severe financial crisis of the Ivorian state over the period 1990-5, during which time cuts in public spending led to the virtual collapse of most of the communes’ development programmes” (Crook and Sverrisson 2001:26).

Fiscal transfers are important in decentralization. They may or may not be the most important form of power transfer. It is beyond the scope of this paper to review the large debates on fiscal decentralization. (For more in-depth discussion on this topic, see Prud’homme 2001; Conyers 2000; Oyugi 2000; Steffensen and Trollegaard 2000; Smoke 1999; 2000; Huther and Shah 1998; Shah 1998; Musgrave 1965.)

## **Capacity**

The tendency, largely influenced by political considerations, to upgrade a ‘lesser’ local authority to a higher status without any change either in its resource base or managerial capacity, often ends up in frustrating the expectations of the people who are supposed to be served by local authority. What usually follows such action is the emergence of crisis as local authorities fail to live up to the general expectations. Ironically, the central government has realized this and justified its intervention on the grounds that a local authority is unable to discharge its responsibilities. The Kenyan experience in this regard has been typical. Persistent intervention or interference in the activities/functioning of local authorities denies the latter the prerogative to cultivate a sense of responsibility and accountability, which are the hallmarks of grass-roots democracy.

Walter O. Oyugi 2000:10

In the 1961/62 Annual Report of Uganda’s forestry Department: “The administration of Crown forests (i.e. Central Forest Reserves) shall be transferred to Local Governments when the Central Government is Satisfied that the Local Governments have the resources and staff to administer them properly. Meanwhile, they will continue to be administered by the Central Government...” Bazaara later points out that administration was never transferred to local government. The 1963/64 report stated that “No action was taken to transfer of administration of central forest reserves in Buganda or elsewhere to the appropriate local authorities because it is still being

considered that they do not have the money and staff with which to manage these important resources.” (Bazaara 2001:33).

“Most often it is argued that until there has been a marked improvement in Local Government capacities and institutional practices, they will fail to respond to needs expressed by their constituencies, will tend to neglect national policy priorities and, in the main, behave in unaccountable and inefficient ways.” But important research in Uganda has made it “...increasingly evident that Local Government performance is greatly dependent on and is actually being constrained by inability of central government agencies and their donor partners to deliver on their mandated responsibilities.” (Onyach-Olaa and Porter 2000:3.) In short, local government performance may be more a function of Central Government and Donor accountability than local capacity per se.

Conyers (1990:30) points out that “it is frequently argued that decentralization should not take place until the necessary capacity exists; but this tends to be a ‘chicken and egg’ type of argument, since more often than not it is only the pressure of decentralization which motivates the action necessary to improve capacity—and motivates the existing staff and the local level to recognize their own potential and demonstrate their real abilities.”

Ahwoi (2000:4) lists lack of adequately trained human resources as a local government problem in Ghana. The argument that powers cannot be devolved without the capacity and the resources to receive them is common and may well be specious (Clauzel 1995:49; Oyugi 2000:10; Ribot 1996). But, as Conyers (1990:30) and Fiszbein (1997) indicate the relation between the ability to receive power and local capacity is not unilinear. The ‘capacity’ argument is often evoked to avoid transferring powers or reducing the degree of *tutelle* or oversight. But it appears that capacity can follow power.

Fiszbein (1997:1), conducting research in Colombia, shows that “...what appears to some analysts and policy makers as lack of capacity, might in fact be the reflection of a conflict in the objective function used, on the one hand, by those analysts/policy-makers and, on the other hand, by the local people” (also see section on Planning and Instrumentality). She attributes what is often perceived as ‘lack of capacity’ to such conflict between national and local preferences. She reports: “Many of those local governments might have usual or perverse preferences—at least from the national perspective—but they sure had no lack of capacity to achieve their objectives” (1997:3).

Fiszbein further points out that the perception of poor capacity is fostered by poorly designed incentives for local government or “an inadequate design of incentives in a principle-agent relationship” (1997:3). For example: “When fully accounted the combination of earmarking and unfunded mandates represented for many municipalities [in Colombia] more than 100% of the untied portion of the automatic inter-governmental grant they were receiving.... Thus, the observation that few municipalities were complying with those mandates...was more a reflection on the absurdity of the policy than on the local capacity” (1997:3).

Based on their perceptions, members of the Colombian Congress argued “...no real benefit would be derived from transferring funds and responsibilities to local governments if their lack of capacity would not allow them to manage them effectively...” (1997:1). Opponents, however, argued “...that only if fiscal resource and responsibilities for service delivery were transferred to local governments would those capabilities develop...” (1997:2). These kinds of debates are also taking place in Africa.

The lessons learned in Colombia are relevant and help us pose important research questions concerning the degree to which lack of capacity is really a binding constraint on decentralization or whether these arguments are reflections of poorly designed incentives and/or political struggles over resources.

In natural resource management in Africa it has been a long-standing practice of governments to represent local populations as if they are ignorant and unable to manage their resources. However, this has been well challenged over the past two decades (see Ostrom 1990; Peluso 1992; Fairhead and Leach 1996 among many others). Nevertheless, the arguments that local people are unable to manage local environmental resources is still very common (Ribot 1999). This argument was presented to me by the director of Mali's Environment Service as recently as November 2000.

Capacity should not be conflated with motivation. Local populations often do not carry out environmental management and other functions because these are not high in their priorities (Engberg-Pedersen 1995:2). This does not mean they cannot do it or lack the capacity. It means they have other objectives to which to apply their time and skills. Decentralization should be structured so that the instrumental objectives of the center are not being transferred just so that local authorities can implement them. This kind of responsibility transfer amounts to delegation and at times *corvée* (see Ribot 1995). This tension between central and local agendas persistent (see section on Planning Processes and the Problem of Instrumentality, above). In any event lack of implementation of external agendas should not be taken to indicate the level of capacity.

Clearly decentralization requires coordination, action plans, and civic education campaigns for its implementation. It also requires orientation and training programs and 'raising awareness' for local parties receiving new powers and responsibilities (Utting 1999:183). But, without powers people may be less likely to learn or to even engage in capacity building efforts. Risks must be taken to transfer powers ahead of capacity so that capacity building can have meaning.

### **Legitimacy**

By accommodating pluralism and allowing people to play a role in the management of their own affairs, decentralisation complements the spirit and norms of democracy regarding greater freedom for societal initiative in the process of self-governance. In a practical sense, enabling people to set their own priorities at the local level is likely to make them more prone to accept the need for governmental transactions—and the costs, in terms of higher taxes, associated with these actions.

Donald Rothchild 1994:3

Legitimacy according to Weber derives from tradition, charisma or legal-rational beliefs. Bentham, offering an alternative definition, argues that power is legitimate when "it conforms to established rules (unwritten or informal conventions; legal codes); these rules are justified by reference to beliefs shared by both the dominant and the subordinate; and there is evidence of consent by the subordinate to the particular power relations through concrete or symbolic actions" (in Therkildsen 1993:77).

Therkildsen (1993:76) takes the ability of local governments to tax as an indication of their legitimacy (cf. Beck forthcoming; Moore 1997; Yates 1996; Guyer 1992). "The argument is that if local authorities cannot mobilize local revenues it indicates a lack of legitimacy which, in turn, constrains their ability to be effectively

involved in NRM [natural resource management] on a consensual basis.” Without legitimacy, coercion becomes the only basis for local government involvement in natural resource management (Therkildsen 1993:76).<sup>75</sup> Moore (1997) makes a complementary argument that taxation engages local people with the state, giving them a basis on which to legitimately expect the state to provide services.

It appears, then, that legitimacy follows relations of power. De Toqueville wrote that “it is important that, in general, men’s affections are drawn only in the directions where power exists....”<sup>76</sup> By empowering local governments decentralization can serve to bolster their legitimacy. Because of their weak state, local governments are being questioned by local populations across Africa (Therkildsen 1993:86). Consequently, they are not able to serve as a platform around which civil society actions, struggles and mediations can crystallize (cf. Joshi 1999—personal communication, cited above). For example, “Farmers perceive decentralisation as a threat that may take their existing power to control resources in their *terroir* [commons] out of their hands and give it to the commune. The village however is likely to play an active role in commune politics in order to retain control of decisions made about resources.” (Brock and Coulibaly 1999:31.) In this manner when real powers are transferred to local government, these powers can serve to engage populations with government, overcoming some of the alienation of the past.

The legitimacy of elected local governments—or any other local authorities, hereditary, appointed or elected—is also critical for their effectiveness. Decision-making powers (over financial or natural resources and other important local matters) can be an important aspect of legitimacy. Bodies with no power may have difficulty gaining legitimacy. In Senegal, elected Rural Councilors have experienced embarrassment since they cannot offer anything to their constituents (Hesseling, n.d.). They have few resources to work with, and therefore people have little reason to approach them. In Burkina Faso, one of the Nazinon project personnel told me that many villagers now go to merchants for advice, reflecting the legitimacy that comes with merchants' empowered position. Having power to deliver things that villagers need or make meaningful decisions that affect villagers' lives requires that representatives have resources and an autonomous domain of decision making concerning matters of importance to the local community.

In Senegal, Rural Councilors feel powerless and disrespected. Indeed, the rural populations have little respect for their elected councilors. Senegal's Rural Councils are charged with the resolution of tenure problems, under the supervision of the sous-préfet, in accordance with the Law of National Domain (RDS 1964; 1972). Most land conflicts, however, are resolved without their help (among families involved and through village authorities—chiefs, marabouts and elders) (cf. Hesseling n.d.:41). Some Councilors I spoke with felt that people do not seek their services since they have none to offer. Instead, they go to the chief, marabout (a religious leader), or even a merchant who can at least help resolve local land, labor or marital conflicts. One conflict Councilors and villagers recounted in Eastern Senegal illustrates the Councilor's frustrations.

In 1988 a charcoal truck made a deep rut in front of the entry to a villager's compound. The trucker refused to help fill it in. The man whose home it was told me “I could not get his wagon out of the compound. My children couldn't get out.” The villagers got together and said that they would not let any more charcoal trucks go

through the village. The truckers then complained to their patron (a small charcoal merchant in Koumpentoum). The patron came to the village to tell villagers to let trucks through. The villagers blocked the route with branches. When the truck driver and patron tried to pass the villagers confronted them with sticks and said "go around the village." The villagers explained that "officially we could complain to the Forest Service or the Rural Council, but both are in the pockets of the big charcoal patrons like Soppowo Yimbe and Borum Gorkati."<sup>77</sup> When I spoke with a Rural Councilor, he expressed exasperation and said "...it's true. We have no power. The President of the council and the Préfet make the decisions." He expressed embarrassment at being a councilor. (Interviews in Daru Fall, Senegal, June 1994.)

Government officials often argue that the weakness of new elected bodies derives from the strength and legitimacy of the village chiefs and other authorities. They use this as an argument not to strengthen the rural councils—given that it would cause conflicts. This, however, may be a self-fulfilling stance since it is partly the council's lack of powers that makes using other authorities more attractive to villagers. Hesselning argues that in Basse Casamance, Senegal, there is simply a general mistrust of the administrative and tenure reforms. This is exacerbated by the slowness of councils responses, which councilors blame on the long approval times taken by the administrators and in litigations (Hesselning, n.d.:40-2).

An elected body that cannot effectively deliver goods to its constituents is not likely to have great respect in the community. Indeed, villagers in the region south of Ouagadougou in Burkina Faso told me they often consult merchants rather than the village authorities in both personal and community matters (also see Ouali et al. 1994:21). If the legitimacy of these new governance structures is to grow they will need to have substantial decision-making powers over real resources (independent of the Préfet's approval) and will also need to have resources to invest back in the community as a whole. That way they can compete with the merchants and with chiefs.

Crook and Manor reported that "satisfying communities' perceived needs is a central requirement to maintain legitimacy of authority. Thus, in Karnataka, decentralization caused resources to be directed away from government services and toward the construction of micro-level physical works, such as roads, bridges and buildings. This reallocation is in part a reflection of the strong local demand for such types of projects, support for which was not realized under a more centralized political system" (Parker 1995:26—from a study by Crook and Manor 1994). It is this type of action that generates interest and confidence in local government.

Taking a sectoral view, Therkildsen (1993:86) argues that weak local government "...has contributed to a vacuum in the institutionalization of natural resource management." Into this vacuum various civil groups have moved. Central government, parastatals and absentee private capital are also playing a more important role. He continues:

The political-administrative vacuum at the intermediate level contributes to two phenomena. Natural resource management decisions are taken outwards from formal state organizations towards associations based on kinship, gender, locality and 'traditional' political institutions. Management decisions, furthermore, move upwards within the formal state apparatus. Conflicts about resource management and use can therefore only be mediated at higher levels in the hierarchy, where local representation is limited, or fought out on the ground, often among unequal groups. (1993:86.)

Without powers local governments cannot gain the legitimacy they need to effectively represent local populations. Rural councilors in Senegal told me they were embarrassed to hold their positions because they could do nothing for their constituents. Local people went instead to village chiefs or merchants for assistance and advice (Ribot 1999). They went to those authorities empowered to respond. In India, civil society organizations were observed to crystallize around empowered local government (Joshi 1999—personal communication). It is only logical that organizations will form when there is a chance that they can have influence. A local government that has no powers or is not at all downwardly accountable is an ineffective rallying point for civil action.

These observations point to the critical role of legitimate representative government in the local arena. This legitimacy seems closely linked to the kinds of powers local government holds, whether these be taxation or any decisions that affect people's lives.

### **Conflict and Negotiation**

In Mali, over 300 deaths have been attributed to natural resource management disputes over the past two years (personal communication, Cheibane Coulibaly 2000), mostly between pastoralists and farmers, brought on by decentralization reforms. By transferring powers from central to local authorities, decentralizations change local power dynamics. For example, in Mali many decisions that central governments had simply neglected have been the default jurisdiction of local 'traditional' authorities and are now being 'decentralized' to local government. Local populations and non-state authorities perceive this shift to be a government takeover of their territorial rights. This can lead to conflict.

In Senegal and in Cameroon, new laws were drafted giving local populations rights over commercial forest uses. When the timber corporations in Cameroon arrived backed by the state forest service local populations demanded benefits that they now believed to be their due. When the timber corporation and forest service ignored them, the villagers set the timber trucks on fire. In negotiations that followed, the local population obtained a share of the revenues (Ekoko 2000). In a similar situation in Senegal, villagers rebelled against the urban woodfuel merchants threatening violence to any woodcutters who dared cut surrounding forests. A compromise was reached through negotiations and the buying off of local chiefs by the urban merchants (Ribot 2000).

Conflict is also frequent between central governments and local governance units. Oyugi (2000:7) points out that centralization and decentralization are competing organizational forms of governance. As noted earlier, Oyugi argues that decentralization does not involve rights, but rather delegation by superior authorities (a 'means of transfer' problem—see Conyers 1990:20). He casts the conflict between center and the localities, whether political or administrative, as a failure of localities to appreciate this 'inherent limitation'. This is in addition to the "...tendency of the centre to abuse its relative legal/administrative strength in the interactive process" (Oyugi 2000:7).

Dispute resolution mechanisms are needed in the local arena. The power to adjudicate, however, must be carefully located outside of the sectors in dispute. In Senegal, Cameroon, Burkina Faso and Guinea, the forest service adjudicates forestry disputes. This is not appropriate in a situation where the forest service or its agents are among the parties in dispute. Forest Service directors often have final say in forestry disputes. These types of cases may have no legal means of entering the independent

judiciary. In Uganda, as elsewhere, executive and judiciary are fused in local government (Oloka-Onyango 1994:463; cf. Mamdani 1996). These common failures to separate powers undermines the checks and balances that could make decentralized systems democratic. An independent judiciary could help hold elected leaders as well as Forest Services within the bounds of their legal rights and could also serve as a means for rural populations to force these institutions to provide the services they are mandated to provide.

Courts and legal council may be inaccessible to people (Ribot 1995a). While legal access did not emerge in the few pieces reviewed addressing dispute, it is a complaint I often heard from farmers and woodcutters in my fieldwork in the West African Sahel. Accessibility of dispute resolution mechanisms and the judiciary may be among the critical issues.

### **Elite Capture and Patronage**

In many instances, it is local elite rather than the most vulnerable that capture decentralised power—which is then utilised to repress local minorities—including women and other marginal groups.

Dele Olowu 2001:54.

Elite capture is often cited as a problem affecting decentralizations (Utting 1999:174; Crook and Manor 1998; Smith 1985). It is the product of both local agrarian economic, social and political economic structures and of the relation between local-central relations (Crook and Sverrisson 2001). Most attention, however, has focused on fact that elite capture takes place and the configuration of the locally stratified landscape into which it fits. Less attention has been paid to the role of central government and elite in cultivating such 'capture.' The question that needs to be asked is: to what degree can local elite capture of resources in the local arena be attributed to their local status and to what degree can it be attributed to the needs of central actors to maintain local agents by using central resources to maintain their patronage network.

There are many examples of local elite captures. In Uganda it is expensive to run for election under the current system and therefore leaders are elite (Saito 2000:11). As the World Bank (2000:109) indicates, "conceding power to local governments is no guarantee that all local interest groups will be represented in local politics. It may simply mean that power is transferred from national to local elites." In Cameroon, for example, elite actors, have been able to capture forest resources under new community based forestry laws by fronting fictive community forests for their own benefit, or preempting the establishment of community forests by acquiring more lucrative commercial licenses (*vents de coupe*) in their place (Brown 1999:46).<sup>78</sup> Similarly, local elite in Senegal captured control of forestry cooperatives in the 1970s and 80s by registering them in their names and filling them with fictive members (Ribot 1993). It is no surprise that Conyers (2000:8) concludes that decentralized decision making may only benefit a minority of the population.

The challenge is to explain why this happens and what its implications are for decentralization. These outcomes are at least partly about the ways in which the central state is related local actors and the ways in which it transfers powers into the local arena. It is about the kinds of powers that are transferred, the means of transfer and the choices

central government makes concerning the local actors who will receive these powers. Bates (1981) argues that central states choose policy instruments that allowed them to engage in allocation of state controlled resources (such as subsidies) rather than those that operate without central redistribution (such as taxation). These state resources are then allocated along lines of political economic alliances between the central state actors and the patronage networks they need to maintain their political base. Indeed, it is for this reason that the discussion of ‘means of transfer’ is so important. Allocative means permit central governments to cultivate patronage networks and to maintain control over politically important resources.

It is equally important to note the ways in which central state constructs the authority and the accountability of the local authorities to whom it transfers powers (Ribot 1996; 1999). Truly democratic local institutions that are accountable to local populations may not support local elite—either for the patronage purposes of central state actors or for the purposes of their own maintenance and reproduction. I believe it is for this reason that central states consistently construct or choose upwardly accountable local institutions, by using party list electoral systems, by transferring the most significant powers to the appointed local administrators rather than elected bodies, by creating ad hoc committees rather than depending on democratic bodies, and by resuscitating customary authorities. In this manner, elite capture and patronage are linked phenomena. This link, and the role of centrally cultivated patronage networks in undermining the emergence of local democratic institutions needs further study.

The assumed magnitude of this problem also needs some query. According to Bardhan and Mookherjee (1999:2), it is commonly presumed by political scientists that “...the lower the level of government, the greater is the extent of capture by vested interests, and the less protected minorities and the poor tend to be. ... If the conventional presumption is correct, the advantage of decentralizing delivery mechanisms to local governments with access to superior local information would be compromised by greater capture of these programs by local elite. The case for such reforms of decentralization would then depend on the resulting tradeoff between these two effects.” Bardhan and Mookherjee (1999:3), however, point out that despite the importance of the issue, there has been little empirical study of the relative vulnerability to elite capture of local and national governments. In addition, the little available empirical evidence, they cite a large survey in India, does not support the presumption of greater capture of local governments. Which forms of decentralization are more or less prone to elite capture in Africa remains an important question.

In sum, we need to better understand the relative role of local and central forces in creating the perceived problems of elite capture, its magnitude, its effects and potential solutions. As Olowu (2001:57) argues, “local elite are required for the success of local government systems—they bring resources, knowledge networks that make these systems become fully operational and effective. At the same time, they must not be allowed to exclude the masses of the people—otherwise serious problems of equity, responsiveness and corruption at the local level are raised.” Olowu (2001:57) proposes public participation, accountability and transparency as the solution. “The ‘elite capture’ problem...,” however, leads Crook and Sverrisson (2001:4) to conclude that “...central intervention is nearly always needed to ensure progressive or pro-poor outcomes.”

Ironically, we need to also recognize the important role of this same central intervention in cultivating this problematic elite.

### **Sequencing and Implementing the Decentralization Process**

There is increasing recognition that greater care must be taken in considering the order and rate of implementation of the complex and inter-dependent set of factors that constitute decentralization (Smoke 1999:13). At present there is little guiding wisdom but there are many questions. Decentralization is a learning process for everyone involved. Below, I sketch some ideas and questions about sequencing of implementation.

#### *Democratic Local Government First*

The kinds of outcomes expected from decentralizations are predicated on some form of downwardly accountable local representation. It would appear that establishing representative institutions would be a priority—perhaps an a priori. Establishing representative institutions is a matter of legislation. Often it is a matter of small changes in legislation, such as the move taken by Mali and Senegal to incorporate independent candidates into local elections—rather than depending on party lists. In other places, such as The Gambia, it may involve widening suffrage and creating limits to the terms of the elected local government representatives, rather than appointing them for life (Ribot 1995). These small changes form the foundation for democratic decentralization. Without systematic means for public participation and voice in local decisions over decentralized powers, transfers of power to the local arena become deconcentration or privatization by default.<sup>79</sup>

#### *Freedom within Oversight—Establishing a Domain of Local Autonomy*

With such overbearing systems of *tutelle* by line ministries, local government ministries and ministries of interior (Oyugi 2000:7-8; Ribot 1999), how can local authorities develop capacity to operate independently and how can they develop legitimacy within their own communities. One of the priorities, indeed one of the defining characteristics, of decentralization is the creation of a domain of local autonomy. This domain is constrained by 1) lack of powers (of decision, rule making, enforcement, adjudication and implementation), and 2) restrictive oversight. These elements must be attended to even to create the seeds of local autonomy. Without local autonomy, local authorities are unlikely to be respected and legitimate in the local arena and they are less likely to be the channel of communication and action around which civil society will form. Local representation without a domain of autonomy is not decentralization.

In transferring powers to produce autonomy in the local arena, powers that do not depend on continuous central allocation may be good powers to focus on first. This may include local allocation of lands and of rights to use other natural resources in the local arena. Land allocation is critical and has played a legitimizing role for local authorities in the past (Mamdani 1996:140; Chanock 1991:64; Hesseling n.d.; Watts 1993; Bassett and Crummey 1993; Downs and Reyna 1988; Fisiy 1995:50; Geschiere 1993:166). Transferring these powers to elected local governments can help legitimate them. Such transfers may also include powers to make rules concerning such use and to adjudicate certain kinds of disputes among citizens within the local domain. Decision over

commercial exploitation of nature and allocation of access to commercial rights may also be included.

Local revenue-generating powers, such as powers to tax land, income, and natural resource exploitation may also create greater local independence and legitimacy. The natural resources sector is a very lucrative arena. In Zimbabwe, fees and tax revenues from wildlife management have funded new primary school buildings and other public works. Conyers 2001:25) explains that “the ability to fund activities in this way increases the status and legitimacy of local institutions and makes the concept of community planning meaningful.” In the western United States, stumpage fees from timber have traditionally supported specific local government functions. These revenues have typically been earmarked for supporting school systems on the US Pacific Northwest Coast. In Nepal, revenues from natural resource management have been used to support healthcare and education (personal communication, Jon Anderson, December 2000). This cross-sectoral financing through local government could be very productive. Drawing on local revenue sources also does not have to be independent of redistribution functions of the central state. Central government can still tax or take a portion of these revenues for such purposes.

Of course, oversight of the use of some of these powers may be needed, but it should be at a distance and it should be to assure local action is within the law and not to approve every decision and move that local authorities make. To date, it appears that very few, if any, local authorities have freedom from such strict administrative oversight.

#### *Power before Capacity*

Given the above discussion of ‘capacity’ it is clear that there is a chicken and egg problem. There is reluctance on the part of central governments to devolve powers before capacity has been demonstrated, but without powers there is no basis on which local authorities can gain experience needed to build capacity and there is no basis on which they can demonstrate capacity has been gained. Strategies must be developed to deal with this problem. More research is needed to identify how capacity arguments are used—when are they real reasons or just excuses not to transfer funds.

Local decisions must conform with certain nationally set minimum standards. Some of these may be technically complex or require skill to interpret or apply. But, before asking whether local people have the technical capacities, the first question is whether these standards are necessary or overly complex. In forestry in the Sahelian countries, for example, most of the environmental planning requirements are not needed. The complex planning requirements are used as an excuse to allow the Forestry Service to maintain control over commercial forestry.

Claims that technical management or skills are needed are often argued on specious ‘scientific’ grounds. These cannot easily be challenged by local governments or local people. Minimum sets of standards must be identified through independent research and public debate. The agencies directly involved may have too much of an interest in maintaining excessive requirements. Local democracy involves the risk of allowing local people to make their own decisions—within some *minimum* set of guidelines—even when the outcomes are not optimal from a central government perspective. Of course, the *offer* of technical support and training to accompany power transfers could help local authorities to achieve more effective local decision making and implementation.

### *Taking Time*

The pressure to ‘get things done’ has often lead governments to circumvent democratic processes and to make and implement programs from the top (Selznick 1984[1949]:37). In Guinea, USAID’s environmental officers insisted that their appointed committees were more efficient than elected local authorities.<sup>80</sup> This impatience with democratic process in order to achieve external aims undermines some basic principles of decentralization. Based on this kind of impatience democratic processes are circumvented and the process of institutionalizing the representative aspect of decentralization is marginalized.

Conyers (2001:37-8) provides an example from the CAMPFIRE natural resource management program in Zimbabwe, where the community learned both democratic and practical lessons from an incident in which an elected committee did not serve their interests. The community bought a grinding mill with a loan from the Ward Council and some program income, but the CAMPFIRE committee did not maintain it and did not manage it well. The committee could not pay for the loan and the Council retained their program income. The community lost income and had no Mill. In the end “...a new and more responsible CAMPFIRE committee had been elected and the committee members decided to lease the mill to a private operator rather than run it themselves” (Conyers 2001:38). Conyers concludes “This system, although not without its problems, has so far proved to be reasonably effective.”

Utting (1999:182-3) points out that implementation takes time and that the technical agents, particularly environmentalists, must have patience. There is learning to be done and adjustments to be made. There is now a growing reaction against decentralization before it has ever been implemented (Utting 1999:183). The crisis mentality of environmentalists is partly responsible in the environmental field. The fads that come and go in development circles can also affect how far a given kind of reform can be entertained before the development community moves on to new initiatives.

The bottom line is that we cannot judge decentralization reforms unless we actually implement them and give them the time to take root.

### **Opposition to Decentralization**

Local democracy and decentralization threaten and are threatened by different actors—central governments, donors, civil servants, customary authorities, and other local elite.<sup>81</sup> These threats create new and different alliances. Democratic decentralization is a threat because it creates new authorities and transfers powers among authorities. It is threatened because the actors threatened by these changes react. Democratic decentralization is also threatened when it is poorly or only partially implemented, thus not delivering the benefits it promises and losing the support of those it is meant to empower. It is further threatened policies that require fiscal transfers coincide with austerity policies or fiscal crisis. The shortcomings in design and implementation have been discussed throughout this review. Some political and economic oppositions are discussed here.

Decentralizations are often influenced by the tendency of any central authority to attempt to hang onto and concentrate powers (Manor 1999; Ergas 1987; Smoke and Lewis 1996; Wunsch and Olowu 1995). In past—as in current—decentralizations, responsibilities have been devolved without devolving powers, effectively strengthening central authorities through burden shedding (Manor 1999; Crook and Manor 1999; Parker

1995; Ribot 1995; Uphoff and Esman 1974; Alcorn 1999). Hesitancy in creating new more democratic local authorities and transferring real powers are explained or justified by central authorities in several ways. Some central authorities argue that decentralization threatens national unity by weakening the central state. Some call on arguably specious ‘scientific’ reasoning, asserting that decentralization is a threat to environmental sustainability.<sup>82</sup> Others, such as forest services and other line ministries, argue that local authorities lack the technical skills and ‘capacity’ to be given any real responsibilities. Yet others have argued that transfers of power and the creation of new local authorities will cause local conflict between customary and new state authorities.

When decentralizations are promoted or required by donors resistance can take the form of obfuscation. Often decentralization is talked of, designed and even implemented as a kind of theatrical performance for donors in which the image is produced but the power distributions do not change. For example, these performances can involve downward transfers through one new law and re-centralization through another, as in the case of Mali where the transfer is well crafted, but new structures of oversight (*tutelle*) are being built that could return to central authorities control over approval of every decision (Ribot 1999; 1998; 1998a). Donors pursuing decentralizing and other programs also often miss the mark by sidelining elected local authorities or local governments more generally because their charters oblige them to work directly with sovereign—writ central—governments (Sewell 1996:148).<sup>83</sup>

Donors and NGOs may also avoid local government owing to their general lack of confidence in any form of government,<sup>84</sup> favoring non-state bodies (as in joint forest management, rural markets and *Gestion de Terroir* approaches) (Romeo 1996) or, out of their concern to show sensitivity toward ‘indigenous’ claims, preferring to work with customary authorities. This is a long-standing mistrust for government—democratic or otherwise—in donor circles.<sup>85</sup> This has led many programs to avoid local governments even when those local governments are ostensibly democratically elected. This is true, for example, in USAID’s natural resource management programs in Guinea<sup>86</sup> and has occurred in other programs in Mali, Niger, Burkina Faso, The Gambia and elsewhere (Ribot 1999). Ironically, this mistrust can also be damaging to democratization processes by restricting the state’s ability to do good and to therefore develop a positive role and legitimacy of its own (Evans 1997). Clearly, this resistance to local democracy also constitutes a blockage for democratic decentralization. In notable exceptions, DANIDA has worked out an agreement to directly work with local government in Uganda, and the UN Capital Development Fund is supporting local government in Uganda, Mali and other countries in Africa (Saito 2000:6).

Opposition to decentralization also often emerges within the civil service since it threatens the roles that many front-line civil servants play. Elected local bodies may be given the power to take over decisions civil servants have been used to making. In Mali, this was evident with rural civil service agents being highly resentful of having lost their former role and anxious about what role they would play in the future (Ribot 1998a). (Also see Conyers 1990:30; 2000a:22). In Ghana the Minister of Local Government lists “...uncertainty among civil service personnel...” as a factor that sets back decentralizations. In Burkina Faso, Mali, Senegal and Cameroon, for example, elaborate and often un-needed forest-management plans are required in ‘decentralized’ natural resource management that only the ‘experts’ of the forest services must design or approve

(Ribot 1999). These all function to keep decision making within the administrative branch.

Therkildsen (2001:35-6), in Malawi, also describes bureaucrats' apathy, cynicism and feelings of being marginalized and resentful when faced with restrictive reforms that came down from external pressures the Ministry of Finance and IMF as well as political and bureaucratic elite. Therkildsen (2001:36) also points out that in South Africa and Uganda "One of the many reform paradoxes is that the same elite, whose past decisions and behaviors are being challenged by the present reform initiatives, are often deeply involved in their implementation. Some of them may not be committed to reforms for ideological reasons. Others may be outright against reforms when these aim to restrict former privileges and powers and diminish rent-seeking possibilities." He cites Oyugi (1990:69) as pointing to class orientation of the bureaucracy as a barrier to changes that are not in their interest (Therkildsen 2001:37).

Customary authorities present a common excuse for not devolving powers and a common challenge to decentralization in practice. Central authorities evoke arguments of potential conflict with 'customary' or 'traditional' authorities (as in Zimbabwe, South Africa and Burkina Faso) as a reason not to empower local representative authorities (Ribot 1995a; Ntsebeza 1999; Mandondo 2000).<sup>87</sup> This problematic set of arguments needs to be explored. Local chiefs are often as much administrative creations of the colonial state as local governments are creations of the post-colonial states, and further, they are not necessarily, downwardly accountable or representative. Customary authorities are often promoted by donors and other outsiders who view them as a romantic category of legitimate popular local leader (CARE-Mali 1993; World Bank cited in Porter and Young 1998:523).<sup>88</sup> This too diverts attention from the need for more democratic local institutions.

A related question that needs investigation is whether in privileging 'customary' local authorities, projects undermine the establishment of more accountable replicable representative local governments. Does the privileging of customary and other non-governmental bodies ultimately help keep rural populations as the subjects of administrative managerial authorities, rather than enfranchising them and helping them become citizens (see Mamdani 1996). Whether and when these arguments are just excuses by central governments to avoid devolving powers or whether customary authorities pose either a real threat or a positive alternative to rural democratization is an open question. The creation of elected, downwardly accountable local government authorities in this contentious environment may be the Achilles heel of effective decentralization.

Other local elite can also block decentralization reforms. In Lesotho Ferguson (1994: 194-227) documented political resistance to a 'decentralized' integrated rural development project in the late 1970s and early 80s. Ferguson (1994:226) reports that "...the project, by its nature, was not equipped to play the political game it suddenly found itself in the midst of. Having taken on 'decentralization, and with it the entrenched power of the governing classes in Maseru [District], the project had no teeth available to it to chew what it had bitten off." In this classic example, Ministers also systematically resisted relinquishing any power to local integrative or decentralized bodies (1994:203).

Further, the articulation between newly decentralized powers and the powers already exercised in the local arena can affect the degree or kind of decentralization

(Ntsebeza 1999; Mwebaza 1999; Delville 1999; Blundo and Mongbo 1998:2).<sup>89</sup> Local populations already exercise considerable responsibility in the management of local public affairs—particularly in the case of natural resources (Fairhead and Leach 1996; Painter et al. 1994). What looks like a decentralization from the center can be a centralizing force when it takes a power that was by default exercised in the local arena and allocates it to a different or even new set of local institutions. These new—conflictual and complementary—relations are thrown into relief in the decentralization process. The conflicts and ambivalent interactions that emerge may play a role in deterring effective decentralization. The legitimacy and effectiveness of new decentralized institutions, the powers they receive and the kinds of accountability relations that emerge are matters of the mesh of state and local ideology, vantage point, and understandings of decentralization itself.

Fiscal crisis or the weakening of the central state's fiscal leverage by structural adjustment programs can also block decentralization (Crook and Sverrisson 2001:26,33). This can weaken the central state's ability to support local action or to intervene to prevent elite from overriding the needs and wishes of the poor. In Zimbabwe, new powers were officially transferred to local elected governments in 1993, however, the line ministries did not transfer any significant powers to them (Conyers 2001:4). "The main obstacles were a general resistance to decentralization among line ministries and the dilemma of how to decentralize financial resources to local authorities while at the same time reducing public expenditure" which was required by structural adjustment programs (Conyers 2001:4). Nevertheless, line ministries began to see decentralization as a means as extricating themselves from service delivery obligations that they could not meet as the economic situation worsened in Zimbabwe toward the end of 1999. Hence, obligations were transferred, but without adequate financial resources. (Conyers 2001:4.)

'Lack of political will', too, is often cited as an explanation for why decentralizations are poorly implemented if at all (Cheema and Rondinelli 1983). But what does this term 'political will' mean? If all that it means is that "the rich and powerful have failed to act against their interests," there is no surprise here (Chambers 1983:161 cited in Dove and Kammen 2000). Some central political actors are certainly threatened by decentralizations. Some are simply reluctant to release powers. Others are may be threatened by the new local authorities who may change their political base. There is central political support for re-empower chiefs in Mozambique, South Africa, and Zimbabwe. Is this a way for central authorities to maintain political allies in rural areas? Chiefs support central government agendas better than local democracy would? These are all questions that need to be posed to understand better why central governments resist democratic decentralization. It is not enough to know that decentralization is not always in the political interest of central actors (Conyes 2000a:22). We need to understand better exactly what aspects are threatening and how to negotiate past those threats.

### **Conclusions and Research Priorities**

Decentralization is an institutional arrangement involving local authorities, relations of accountability and public powers. The central issues in democratic decentralizations concern the institutional form of local representation and responsiveness, and the kinds of powers local authorities hold. A review of the literature reflects surprisingly little

empirical research on the institutional forms that decentralizations are actually taking. First indications are that there are almost no instances of strong or democratic decentralization—combining accountable representation with powers—being created. Most reforms follow the contours of weak decentralization or deconcentration. The literature reflects extreme reluctance of governments to transfer meaningful powers to representative local authorities. Often various forms of delegation or privatization occur in the name of decentralization.

Without the appropriate institutional forms and powers, decentralizations will not deliver the theoretically expected benefits such as efficiency, equity, service provision and development. Further, until the basic institutional infrastructure is in place and powers are transferred, it is not possible to measure whether decentralizations delivers the outcomes theory predicts. The first step in understanding decentralization, then, is to assess whether decentralization is being established by characterizing the local actors involved, the accountability relations they are located in and the powers they hold. From this starting point questions can be posed concerning the outcomes, as well as the causal relations between different institutional forms and these outcomes.

In addition to accountability and powers of local actors, the literature outlines several other important institutional factors that structure decentralizations. These include: 1) sustainability and security of decentralization, which is shaped by the *'means of transfer'* or of *'reform'* used to establish them, such as—in descending order of security—constitutional reform, legislation, decrees or orders; 2) the legal *enabling environment*, including the structures of representation, the legal protections for government and non-governmental actors to act on their own behalf and to express their needs, and the forms of recourse and conflict resolution accessible to local governments, organizations and citizens; 3) the macro-economic enabling environment, which structures the resources available to central and local authorities to support decentralization programs; 4) the ways in which nested levels of *planning* for national and local purposes proceed and are organized in support of the domain of decentralized local autonomy; and 5) the ways in which local autonomy is limited and supported by higher levels of political-administrative *oversight*. These factors all play key roles in support of decentralization reforms. If not carefully attended to, they can also play a key role in hindering decentralizations.

The sticky issue of *'capacity'* often also emerges in discussions of decentralization. Capacity is a factor that central governments frequently use to judge whether local institutions are able to receive powers. Central government actors often wrongly interpret local preference and choice that are different from their own and the inability of local jurisdictions to carry out unrealistic centrally imposed requirements as lack of capacity. Since few governments have trusted local actors enough to transfer powers to local jurisdictions, whether decentralization can proceed before *'capacity'* is built remains unclear. Preliminary indications are that power should proceed capacity to form the basis for gaining capacity. However, in the absence of clear criteria and research on this topic, governments and their line ministries take the conservative stance of withholding transfers. This has the unfortunate effect of delaying decentralizations and of denying local authorities the very powers they would need to hold in order to improve their technical and managerial skills.

*Sequencing* of decentralization reforms is an area that has not been well researched but appears important to the success of decentralizations. The sequencing is, of course, partly a matter of the objective of the reform. It may be different if it aims primarily at local democratization than if it is about relieving central government of service delivery burdens. In reading through the literature, it is evident that relieving central government of service delivery is one of the more common objectives. This overwhelming focus on service delivery in decentralization takes attention away from other central issues, such as whether local democracy should not be the primary objective and even whether efficient and equitable local service delivery can precede local democratization. Democratic decentralization is about enfranchisement. The powers local populations can hold may concern services, but they also concern any or all aspects of local public action: decision making, rule making, implementation, enforcement or adjudication. Keeping these issues central in sequencing decentralizations may help form a stronger basis for local service delivery.

Decentralization is an extremely important reform in the current era of African democratization. Powers devolved into the local arena will follow the contours of the local political economy into which they are transferred. If that arena is one of autocratic or administrative rule, decentralization will strengthen autocracy and administrative control of the local arena. If the local arena is democratic, then decentralization has the opportunity to strengthen democracy. The most-basic elements of democracy are at stake. Citizenship is about having representation, rights and recourse. This is part of the basic infrastructure of strong decentralization. Creating a space of citizenship is one of the most difficult aspects of the current democratic reforms in a context where the colonial systems of governance handed independent governments a well organized system for administratively managing people as subjects. Most rural Africans are still subjects of the political-administrative orders under which they live. Strong decentralization is about citizenship and therefore is challenged with the difficult task producing real local enfranchisement.

The local arena is never just composed of democratic, oligarchic or autocratic actors. There is always a mix of local authorities. If governments choose to empower their local administrative authorities or 'customary' chiefs, rather than to support new democratic institutions, 'decentralizations' can reinforce administrative or autocratic rule. These kinds of arrangements do not reinforce local democracy or democratic decentralization. If public powers are transferred to private bodies (such as individuals, corporations and NGOs), this too can undermine local democracy by depriving it of powers that could strengthen and legitimate local democratic institutions—not to mention excluding local populations from previously public resources in ways quite contrary to the spirit of decentralization. The importance of the choice of local authorities in current local governance reforms cannot be over emphasized. The literature shows that in practice this choice is often inconsistent with the democratic discourse of decentralization.

Because of the radical changes that democratic decentralization implies, there are many actors threatened by and who pose a threat to decentralization. Opposition to decentralization requires urgent attention. Because local democracy threatens chiefs, chiefs and their allies within central government oppose local democracy in Niger, Mozambique, South Africa and Zimbabwe. Political actors within central government

may also be threatened by local democracy and decentralization if it changes their political base and the patronage resources central government can allocate to political constituencies. Civil servants also are threatened by decentralization when they lose control over resource allocation and decision-making powers. Civil servants may also resist being transferred from a central ministry to work directly for a local government. Being threatened by decentralization all of these actors pose a threat back. They resist directly or through obfuscation.

There are also threats to decentralization that emerge from its incomplete or poor implementation. Decentralizations are threatened when the wrong mix of powers is devolved, encumbering local authorities without giving them sufficient resources and authority to be effective. They are threatened when non-representative or unaccountable actors are empowered, taking authority away from democratic actors or from the public arena. They are also threatened when local actors are so restrained by oversight that they have no room to act independently on behalf of local people. When local authorities cannot deliver goods or respond to local needs they cannot gain respect and legitimacy or engage local populations in public action. These threats are playing an important role in delaying current decentralizations across Africa. Non-implementation may also not always be independent of the threats posed by decentralization opponents. Poor design and implementation can be the result of obfuscation. Political actors know that creating accountable representation without appropriate powers is empty. They also know that devolving powers without representation is not political or democratic decentralization. Nonetheless, these are the kinds of incomplete reforms they are enacting. Is this an accident?

In short, then, some of the more important lessons from this review include: 1) critical attention must be paid to the institutional arrangements being created in the name of decentralization since many of these arrangements do not reflect their stated aim; 2) ‘means of transfer’ are an important element in the sustainability and stability of decentralization reforms—the degree to which decentralization provides new *rights* (securely transferred powers) versus just providing allocated new *privileges* (delegated powers) depends on the security of the ‘means of transfer’ or ‘reform’ being used; 3) planning processes and oversight (*tutelle*) must be carefully organized to reinforce the domain of local autonomy, rather than to allow higher-level planners and administrators to take it over; 4) ‘lack of capacity’ is often a paternalistic excuse for not devolving powers, even though research indicates that capacity can follow rather than precede power transfers; 5) sequencing of reforms matters and is an under-theorized and understudied area of concern; 6) civil society may crystallize around strong democratic local government, civil society should be viewed as a complement, rather than alternative, to representative government; and 7) there are threats to decentralization that may be serious fetters if not attended to.

While there is a current trend favoring democratic decentralization, the challenge before us is to assure that this trend moves from the realm of discourse into the realms of law and practice. The primary challenge is to assess decentralizations to see whether legal reforms reflect the discourse in national political circles, and to assure that the practice reflects the laws when they are indeed laws designed to establish real decentralization. The biggest challenge to decentralization that appears to be emerging on the horizon is the reemergence or resuscitation of chieftaincy and custom to challenge the formation of

local democracy. This trend is supported often by actors within the state and by international donors who favor customary authorities in choosing local actors with whom to interact. This trend constitutes a backlash against decentralization and local democracy, and may prove to block its progress. There are many other challenges on the path toward strong decentralization. This path will need to be paved by grounded research on decentralization, which is surprisingly scarce in Africa.

### *Research Questions*

There has been little grounded research aimed at characterizing decentralizations to see whether reforms are following appropriate institutional arrangements. There is need for an Africa-wide assessment to query whether the institutional infrastructure necessary for decentralization is being codified into law and whether the laws on decentralization are being implemented. Assessing decentralization concerns identifying the kinds of actors being empowered, the ways in which these actors are accountable to local populations and the powers they are receiving, in order to establish whether a local domain of autonomy is being established under downwardly accountable representative control. Such a basic assessment reveals the kind of reform taking place and helps identify its strengths and weaknesses. Where we can establish that decentralization is actually taking place, the first question is whether these reforms can be correlated with the hoped for political, social, economic or ecological outcomes? If so, can researchers establish the mechanisms by which decentralization achieved them? Such research would aim to locate successful outcomes, to determine whether they can be attributed to decentralized institutional arrangements and to identify the specific means by which they are achieved.

Many basic questions cannot be answered with existing data. Indeed, as Smoke (1999:9) observes “so little useful comparative work has been done on decentralization...in the developing countries.”<sup>90</sup> The causal relations between institutional arrangements, knowledge, powers, accountability, competition and better and more just services are poorly understood. These causal relations are very difficult to isolate and to measure (Agrawal and Ribot 1999; World Bank 2000:109; Crook and Sverrisson 2001). However, a better understanding of the relative role of these factors—and, perhaps most importantly, the specific mix of actors involved, divisions of power, and mechanisms of accountability that hold authorities responsive to their constituents—could help improve local democracy and local services. There is a wide opened arena for research that could help focus development assistance on the specific elements that are believed to shape the efficiency and equity of local government decision making, resource management and service delivery.

Research questions of particular importance that could help strengthen decentralization reforms concern the kinds of powers that can be most successfully transferred, and the kinds of accountability mechanisms that have worked and that can be written into or enabled by reforms. There is a great need for focus on the politics of decentralizations, including the dynamics of resistance to decentralizations, the politics of rural authority and the choices being made by governments and donors in choosing different local actors, the dynamics behind successful and unsuccessful resource transfers, the reasons that different means of transfer are being chosen by governments, and the politics of administrative oversight. Another particularly important arena for comparative research concerns the multiple forms of opposition that decentralization

reforms must contend with. What is the relative importance of each of these threats? How can they best be addressed?

Sequencing of decentralization reforms is another arena ripe for systematic comparative research. There are a number of areas where analysis could shed light on successful ordering of decentralization measures. Should local democratic institutions be established before powers are transferred? Can downward accountability measures be successfully applied to local authorities before procedural democracy is established? Should powers that can be exercised with little cost be transferred before burdensome responsibilities? What happens when powers are devolved before capacity has been demonstrated? How can we assure that local government obligations and burdens are matched with corresponding fiscal resources, implementation powers and technical support? These are some of the most salient sequencing questions in the literature.

There is a serious gap in social sciences research capacity in Africa that would be required to conduct the above research.<sup>91</sup> Any research program aiming to create a long-term Africa-based interest in ameliorating decentralization processes must address this gap. There are numerous ways in which international organizations and donors can intervene in decentralization. They have supported research and implementation and have provided technical advice to African governments. In some cases they have pushed for decentralization through structural adjustment programs and other conditionalities and in others through the mere funding of decentralization activities. Donors are in a unique position to ask difficult research questions that nationals may not be able to ask without donor backing, particularly concerning the often wide gaps between national discourse, law and practice. Externally funded research can query the degree to which the national discourse is being codified into law and whether laws are being seriously implemented. In the process, such research can promote the development of a new generation of policy analysts and policy research institutions with a focus on decentralization and its subtleties. A number of additional specific questions corresponding to the sections of this review are enumerated in Annex A.

## **Annex A: Research Questions for Each Section**

This Annex contains some research questions that emerge from each section of the paper. They are organized following the outline of the paper as a whole and should be read following each section since they often refer directly to the contents of the section.

### **Decentralization in African History**

Reforms of the past are a rich source of data on decentralizations. A number of research questions on the history of decentralization are pertinent:

- Decentralizations took place in Africa after both World Wars, then again in the early 1970s, and in the 1980. What drove these decentralizations? In motivating these changes, what was the importance of fiscal crisis of the state, returning war veterans making demands upon the state, sub-national groups threatening to split off, or ideological shifts such as the wave of democratization spurred on by the end of the cold war?
- To what degree has each new decentralization fostered greater local autonomy? To what degree have these reforms represented the extension of the central state further into everyday life?
- What political, economic and social ends have decentralizations of the past served. What were the constituencies behind them?
- With the new wave of decentralizations beginning in the 1980s, is democratic decentralization is actually occurring in practice or are we seeing another wave of central state expansion through deconcentration and central government shedding of service responsibilities.

### **Why Decentralize**

#### *Efficiency*

Some questions on the decentralization and efficiency link include:

- Are the conditions that are believed to foster more efficient outcomes being established in current decentralizations in Africa?
- In practice can greater efficiency be measured in decentralizations and under what conditions (see Fiszbein 1997; Crook and Sverrisson)?
- Of the many causal links hypothesized between decentralization and greater efficiency, which can be shown to be in operation? Which of the causal links is most effective in fostering greater efficiency?
- In what ways does a deconcentrated planning process contribute to efficiency outcomes and for whose purposes do they wind up being more efficient—local populations or the central government?

#### *Equity*

Several important research questions follow from the expectation of achieving equity through decentralizations:

- Are the local authorities that are being mobilized in the name of decentralization representative and downwardly accountable? Are there systems of recourse? I.e. are there reasons to believe that they will produce greater equity?

- Are local populations being incorporated as citizens into new local governance arrangements, or are they being managed as subjects as in the past?
- Do the local authorities that are being mobilized have the powers necessary to affect either procedural or distributional equity?
- Can changes in procedural or distributional equity be measured in current or past decentralizations?
- Where changes in equity can be measured, what are the causal mechanisms or circumstances that have led to these changes?
- Do local governments serve the poor better than central governments do? Does deconcentration serve the poor better than democratic decentralization?
- What are the necessary roles of central government in serving poor and marginalized populations (see Crook and Sverrisson 2001)?
- Are local taxes progressive or regressive overall?
- Under what circumstances is elite capture of local powers avoided? What measures or circumstances affect its likelihood?
- Is elite capture greater or lesser at lower levels of government?
- What has been the experience with equity among decentralized districts within a country? What national-level policies have been able to assure greater equity and how can their success be explained?

#### *Service Provision*

Questions on decentralized services include:

- Where has decentralization been associated with improved service delivery and how can these improvements be explained?
- What mix of institutional arrangements increases the efficiency of service delivery?
- What roles do competition and accountability play in improving services?
- Through what mechanisms can service delivery institutions, whether central states, local governments, NGOs, or private institutions, be held downwardly accountable to the populations they serve? What are the best means for also holding them accountable to central government standards?
- What are the best arrangements for financing service provision?
- Which decisions concerning service provision should be retained by the central government? Which require local decision making and participation? How can the transaction costs of participatory approaches be weighed into this balance?
- Service provision is an important aspect of decentralization and it has been center stage in recent decentralizations. There is a need to better understand sequencing of service provisions with respect to other aspects of decentralization such as the establishment of democratic local authorities, the establishment of revenue mechanisms, etc. Comparative research on sequencing is very important. Indeed, the question could be posed: Are decentralizations that place service delivery too early in the process running into problems or is service provision a good lead activity?

### *Participation and Democratization*

Decentralization is frequently portrayed as a means of democratizing. Nevertheless, any time public resources are transferred to local institutions, a number of important questions emerge. These include:

- Are institutions being empowered in participatory or decentralized reforms representative and downwardly accountable?
- Participatory approaches and decentralizations, in an attempt to support pluralism, are often creating competition for representative institutions such as newly elected representative local governments. Do non-government based participatory programs weaken democratic local government where it has been established? Does this competition strengthen or undermine the legitimacy of these new democratic institutions?
- Conversely, in the natural resource management sphere, the resources being decentralized are often revenue generating. Can the income derived from local control over natural resources be a source of democratic local government legitimacy and strength? Can the allocative powers associated with any other local government decision, such as service provision or land dispute resolution, be a source of support and legitimacy for local democratic institutions?
- To what degree and under what conditions can participatory approaches that are short of local democracy contribute to strengthening the objectives of decentralization? In what ways can they serve as complements to democratic local government?
- Have there been processes by which local populations have been able to participate in national decentralization policy formulation? How have these processes worked? Have they had positive outcomes?

### *National Cohesion and Central Control*

National unity and strengthening of the central state are common motives for decentralization. These important functions bring up several important comparative questions.

- Under what conditions do decentralizations serve nation building?
- How effective have decentralizations been over the long run for creating more integrated nations?
- Has democratic decentralization served better than deconcentration for integrating splinter groups back into the nation and/or for strengthening central state presence in hinterlands?
- Which forms of decentralization have produced the most stability over time?
- Are decentralizations motivated by nation building likely to achieve their efficiency, equity, service provision and developmental functions? What are the tradeoffs among different targeted objectives?
- It is assumed that decentralization can strengthen central governments by reducing their financial burdens, has this been born out in practice?

## **Dimensions of Decentralization**

### *Actors*

On the topic of actors there are many important research questions. Comparing among the different kinds of actors is important for understanding the nature of decentralization.

- Who to devolve powers to in the local arena is the most important problem facing decentralizations today. If powers are devolved to administrative bodies, then deconcentration is the best result we can expect. If they are to representative bodies, then democratic decentralization and the benefits it promises may result. If it is to bodies such as chiefs, NGOs, committees or political cronies then we are talking of a mix of privatization of public resources and deconcentration for the cultivation of political relations (cf. Bates 1981). There needs to be a critical assessment of the actors receiving powers in the name of decentralization to determine to what degree democratic decentralization is even part of the mix. In a comparative context this kind of assessment could be used to determine why and when local democracy is being established. Where there is democratic decentralization we can examine the history of how it emerged. To date, however, the conflation of the different actors being targeted under what is called ‘decentralization’ leaves us not knowing what kind of reforms are really taking place.
- How does the local political culture and its history affect decentralization? How does it affect the establishment of representative authorities? How does it shape the engagement by civil society (see Putnam 199\_)? What measures need to be taken to articulate decentralization measures with this local environment? What is the experience across Africa?
- The system of integrating ‘traditional’ or other local authorities into elected councils, as in Ghana, needs to be questioned. Blair (2000:24) asserts that integration of NGOs, for example is a way “...to ensure representation.” The degree to which this practice strengthens or weakens the breadth of representation where they are chosen locally (by NGOs, for example) and upward accountability to central state where they are appointed (as in Ghana) would be an excellent topic for research.
- Which authorities, elected, customary, appointed or non-governmental, better serve the objectives of decentralizations? Which can be shown to be more equitable, efficient, better at service delivery, most effective at local empowerment, more important for national unification?
- Whose interests—national, international, political, commercial, local, etc.—are served by the choice of chiefs, elected local authorities, NGOs, management committees or private individuals as targets for the receipt of decentralized powers?
- Why do governments, donors and international NGOs choose to work with chiefs or local NGOs when there are elected local governments in place?
- What is the most effective relation among local actors in achieving the benefits listed above that theorists and activists expect? Should appointed bodies oversee, advise or work for elected authorities? Should NGOs dealing with public matters be subject to supervision by elected bodies?

#### ■ Questions on Local Political or Democratic Actors

- Local elections are often structured in ways that do not present real choices to local populations nor do they create downwardly accountable authorities. An example of ingenuous elections include party list slates without independent candidates. There is a great need for comparative research on the ways in which local elections are structured and the consequences these procedures have on representation and accountability of 'elected' officials.
- What factors play a role in legitimating elected authorities in the local arena? How have local elected authorities taken on an active and positive role in representing local populations?
- Also see questions under 'accountability', below.

#### ■ Questions on Chiefs

- Chiefs often find support in central governments. What role do they play in the politics of central government? Do they play a role in consolidating the power of national assembly or parliament members?
- How powerful are chiefs in national politics?
- How powerful are they in local politics?
- How does central government contribute to their legitimacy and power?
- To what degree is the attention to appeasing them an 'excuse' versus being a 'reason' not to decentralize? When government officials speak of threats of violence or of resistance if democratic bodies are empowered, when are these threats real and when are they simply presented to deter the pursuit of real democratic local empowerment?
- There are examples of downwardly accountable and public minded customary systems of authority. Do these systems have some light to shed on the ways in which democratic local authorities could be established elsewhere?

#### ■ Questions on NGOs and Management Committees

Clearly NGOs could have many positive roles to play. How can they best play these roles without undermining the new democratic push accompanying current decentralizations?

- What powers if any should be transferred to NGOs? Which powers and protections will enable NGOs to play a role supportive of local and national democracy?
- How should NGOs be involved in service delivery in a way that supports good local government? Should they be considered as sub-contractors to elected local governments?
- How should NGOs be involved in decision making? Should they be given advisory roles, or should there be public meetings in which members of NGOs have the right, like any other private citizens, to speak their minds?

#### ■ Questions on Appointed Authorities

Appointed local authorities are the basis of deconcentration and can be a complement to political decentralization. The questions on appointed authorities concern mostly which roles they should play and relations they should have with other decentralized actors.

These are addressed in above questions and will also re-emerge in discussions of accountability and power.

#### *Powers*

- Separation of powers is an important principle of democratic central government. This principle is often violated at the local level, undermining accountability relations in decentralized governance (Mamdani 1996; Oloka-Onyango 1994:463). What are the best models for local-level placement of adjudication powers for avoiding the detrimental fusion of executive, legislative and judiciary?
- In practice, which powers are transferred? How does this compare with the powers that could be transferred following subsidiarity principles? How can the difference be explained? Why have subsidiarity principles been so difficult to follow?
- Which kinds of powers are most important for building legitimacy of local governance bodies?
- Which powers are most important for engaging civil society with local government?

#### *Accountability*

- Each mechanism discussed in the Accountability section and in Annex C requires much scrutiny to understand just how it works, how effectively and under what circumstances. Research on each of these mechanisms and on how to establish them is very scarce.
- Local elections have not been studied sufficiently (Olowu 2001:57). They are often left un-scrutinized by development agents, social and political scientists. There is a great need for research on the kinds of local democratic procedures that establish substantive democracy (see Moore 1997). Procedures that appear democratic often are not. More research is needed to advance this critical accountability/democracy frontier.
- Many of the discussed accountability mechanisms are easy to apply at very little cost. Some are more difficult to implement. Which mechanisms are being used, under what circumstances and how effective have they been?
- Is it the source of revenues (following Moore 1997; Yates 1996) or the accountability relations of those who hold discretionary funds (Onyach-Olaa and Porter 2000) that determine the efficiency with which funds are used?

### **Implementation**

#### *Administrative-Political Relations, Oversight and Tutelle*

- What is the best configuration/hierarchy of political bodies that assures 1) a domain of local autonomy for political bodies, and 2) support and controls that these political bodies may require?
- How do the horizontal relations between elected and appointed bodies in the local arena affect the downward accountability of elected bodies?
- To what degree should administrative bodies be downwardly accountable and through what means?

### *Planning Processes and the Problem of Instrumentality*

Planning processes then bring up a number of important research questions:

- Using what mechanisms can local planning in the domain of local autonomy be strictly subordinated to the authority of local representatives?
- What mechanisms or recourse channels can be used to assure that regional- and national-level planning initiatives do not infringe on the domain of local autonomy that defines democratic decentralization?

### *Enabling Environment*

- Is a well structured enabling environment a prerequisite for successful democratic decentralization?
- Are some elements of the enabling environment less important than others or is it necessary to have the whole context set for democratic decentralization to take shape?

### *Sustainability and ‘Means of Transfer’*

Comparative work needs to be done on the mechanisms of transfer being employed in different contexts and on the effects of the use of different mechanisms.

- What are the effects of more stable means of transfer? Do they reduce political allocation? Do they support local government legitimacy?
- What are the consequences of frequent changes in the law that are more likely with discretionary mechanisms? Do they undermine the formation of civil society? Do they undermine the legitimacy of local authorities?
- Have constitutional guarantees played a role in establishing democratic decentralizations? Have they been used in the courts by local authorities or citizens to demand rights and services that they cover?
- Do the means of transfer used shape people’s sense of engagement with the state?
- Do the means of transfer used shape people’s sense of citizenship?
- Is constitutional legitimacy a prerequisite for effective decentralization (Smoke 1999:9)?

### *Fiscal Transfers*

- In establishing legitimate and representative local government are fiscal powers necessary? Can powers of decision and powers over the use of local resources suffice as the basis of an operating democratic local government?
- The failure to transfer sufficient fiscal resources from the center is almost universal. Where sufficient or substantial transfers have taken place, why has it happened? What circumstances led to such transfers.

### *Capacity*

- Fiszbein (1997:2) poses the following set of important questions: “Is lack of capacity a binding constraint for a successful process of decentralization? Does decentralization lead to stronger—more capable—local institutions (as, for example, some of the Colombian reformers speculated [See Capacity

section, above])? What types of external interventions are most effective in promoting the development of local capacity?

- Why is capacity lacking in the central government's ability to provide the necessary services to enable local action?
- The 'capacity' excuse stands as a major stumbling block in decentralizations. Are there examples that can be used to challenge this accepted but apparently specious 'wisdom'?

### *Legitimacy*

- How does taxation shape legitimacy of local authorities?
- How do the powers that local authorities hold shape their legitimacy?
- When downwardly accountable representative authorities play an advisory role to administrative authorities, versus a decision making role in the local arena, how does this affect their legitimacy and role in the local community? Is downward accountability of local authorities sufficient to legitimate them, or does this need to be complemented by significant powers?
- Control over land had been the basis of 'customary' authorities in Africa'. How does the control over land allocation shape elected and customary authorities today and the relation between them?
- Legitimacy is linked to power. To what degree is legitimacy also linked to other forms of accountability. Taxation is legitimating in so far as it moves people to make claims on the taxing authority because they feel entitled to returns on what has been taken from them. In the same sense, different mechanisms of accountability could create channels of interaction and a basis for trust between government and people. What is the evidence along these lines?

### *Conflict and Negotiation*

- How common is the inaccessibility of courts and what is that inaccessibility based on? Is it based on social identity and status, ability to pay, distance to courts, education and awareness? What can be done to improve the situation?
- How should the separation of powers be structured in local government? Is it different than in central states? Why is the judiciary and executive so frequently fused at the local level and how could it be restructured to create a viable conflict resolution mechanism?
- Numerous dispute resolution mechanisms have been experimented with in natural resource management and in other decentralized arenas in Africa. It is beyond the scope of this paper to review them. What are these mechanisms and which have proved to be effective?

### *Elite Capture*

- Is there a differing degree of elite capture in centralized vs. decentralized systems?
- What means are there for reducing elite capture in the local arena?
- Also see discussion questions under equity.

### *Sequencing and Implementing the Decentralization Process*

The above discussion can be transformed into questions. Sequencing of implementation is an important arena for comparative research in decentralization.

- What lessons about decentralization can be learned from the long experience of African countries since the beginning of this century? Have the deconcentrations—under indirect rule and association or in the early years after independence—in the past been successfully transformed into democratic decentralizations in any instances? How have past attempts to democratize local government—as in Cameroon, Guinea, Guinea Bissau—fared? Have they remained democratic or have they too been engulfed by administrative directive.
- Does the establishment of local democracy threaten deconcentrated authority? Does deconcentrated authority block local democratization?
- Many decentralizations appear to begin by empowering of NGOs, committees, customary authorities and other non-representative bodies to deliver services or to manage resources. How does this affect attempts to establish and legitimate elected local authorities?
- What evidence is there that systems that begin with deconcentration move toward democratic decentralization? What evidence is there that democratic local authorities are likely to remain democratic and to be more effective in decentralization?
- Are there instances where oversight is not overbearing? How do these circumstances compare with highly monitored and managed situations? Is there any evidence that starting with autonomy or with greater *tutelle* leads to stronger or more effective local governments? Is there any evidence?
- Is there evidence that might show that revenue neutral or revenue generating powers are a better starting point for decentralization than central government transfers?
- Is it better to begin with sector led decentralizations or political/administrative decentralization? What evidence is there?
- Is there a sequencing of sectoral decentralizations that can optimize on the interactions among sectors? If revenue-generating sectors, such as environment, proceed revenue-consuming service sectors, are there any advantages?
- Comparative research would help us to better understand the relations between powers and capacity. How have capacity building programs in the absence of power transfer fared? How have power transfers without capacity building done?
- How can monitoring and evaluation systems be set up that are not overbearing and that can provide positively reinforcing feedback?

### *Opposition to Decentralization*

- There are many threats to decentralization. Which are real and which are held up for political reasons of particular actors? Are chiefs really a plausible threat? Do they have to be appeased? Where and why? Or, are arguments that chiefs are a threat just part of a central political game? Is there evidence and

counter evidence concerning the importance of chiefs in rural areas and as blocks to the emergence of local democracy and democratic decentralization?

- Each blockage to decentralization requires serious evaluation. Who presents the blockage? What is their interest in it? Are their arguments built to serve those interests or can it be shown that there is a measurable threat?
- Where there are blockages and conflicts, what kinds of measures have been used to overcome them? How effective have they been?
- Where there is conflict, how can it be explained? Does it derive from the threats described or from others? Are the conflicts against decentralizing per se, or against the manner in which it is being done?

## **Annex B: Who are Chiefs and Customary Authorities?**

To understand the important role of chiefs and other ‘customary’ authorities in decentralization, it is helpful to look in more depth at who they are and where their authority comes from. Here again, I will draw more on materials and experience from Francophone West Africa, supplemented with comparative material from elsewhere. Despite differences, there are many similarities in rural administration between the French and British colonial experiences.

In the West African Sahel *villages* are the most common unit of social aggregation around which local use and management of agriculture, fisheries, woodlands and other natural resources are organized both by local populations and by outside agents. Each village, typically 100 to 1500 people, usually has a village chief. There are also other poles of authority within villages, such as forest chiefs and land priests, sorcerers, marabouts, Imams, pastoral chiefs, griots, merchants, heads of certain castes (e.g. hunters in Mali), and chiefs of the young (maasamari in Niger) (see Ouédraogo 1994; Bassett and Crummy 1993:6; Roberts 1997; Kini 1995:21; Brock and Coulibaly 1999). Colonial rulers, however, relied on village chiefs, disproportionately shifting power to them (Buell 1928; Suret-Canal 1970; Cowan 1958; Deschamps 1963; Perham 1960; Alexandre 1970; 1970a[1959]). While these other figures are involved in resource management (cf. CARE-Mali 1993), most State and outside organizations still privilege village chiefs as their primary village interface.

Most references in the literature on colonialism and chieftaincy examine the canton, district, or paramount chiefs, operating at larger territorial-administrative scales. The French did, however, work with, depose, appoint and regulate right down to the village-level authorities, deeply shaping the current legal standing and powers of village chiefs. The position of chiefs at all levels has been established or deeply transformed by the process of State formation in the colonial period (Geschiere 1993:151,165; Bayart 1993:78; McIntosh 1990:27; Cowan 1958; van Rouveroy van Nieuwaal 1987; Fisiy 1992; Alexandre 1970a:24; Suret-Canal 1966,1970; Ranger 1993; Roberts 1997). Chiefs were heavily tainted by the colonial experience which had at once strengthened their powers through subjugation followed by European backing, and had undermined their legitimacy through the excesses and contradictions that external backing and the exigencies of colonial administration produced (Cooper 1996:12; Mahwood 1983; van Rouveroy van Nieuwaal 1987).<sup>92</sup>

Through the colonial period to the present, village chiefs have been integrated into the State as an administrative extension (Alexandre 1970a; Suret-Canal 1966; Lund 1998:67). This role has been fraught with ambiguity and tension due to the dual allegiances of chiefs downward to their people and upward to the central state, and due to the competing sources of chiefly power and legitimacy within local culture and from their role as links to and agents of the outside world. In this section I briefly examine the legal underpinnings of chiefs' accountability and powers: their integration into the colonial administration and their current legal standing.

Pre-colonial chiefs derived their authority from a variety of sources: rights of conquest, control over land, direct descent from great ruling ancestors; and membership in a particular ruling family (See Alexandre 1970; Crowder and Ikime 1970:xi; Fisiy 1992; Spierenburg 1995; Fortes and Evans-Pritchard 1987[1940]:10-11; Schumacher 1975:87; Roberts 1997). In 1896, shortly after the French military conquest of the French

Soudan, Governor Colonel Louis de Trentinian argued for a native tribunal system in order to relieve French commandants of "little affairs." Trentinian instructed his administrators: "Do not get mixed up in the many conflicts without significance, which demand understanding of the morals and traditions of the population. Instead, give additional prestige and authority to the native leaders, who are our indispensable intermediaries" (quoted in Roberts 1997:89). These "native leaders" included notables, village chiefs and marabouts (Roberts 1997:89). Trentinian's approach to native justice was later codified into law in a November 1903 decree, appointing the village chief and elders to preside over civil disputes. Courts of appeal were established at the levels of the Province and Cercle in French West Africa. Roberts (1997:85) suggests that a 1905 appeal of a property case by local litigants to the higher courts already "...hints at significant erosion of the 'principle' of collective property rights and the powers of the village chiefs."

As the French worked through and began to back local chiefs, they chose them—"as far as possible"—by 'custom' (Alexandre 1970a:52-3). But this was not very far. "In general, the first 'chiefs' [recognized by the French] were people who had served or entered into other relationships with the European authorities" (Bayart 1993:135-6) (cf. Buell 1928:990; Foltz 1965:12-3). Under French colonial rule, Africans, such as cooks, translators, soldiers etc., could be made into chiefs, even if they were not from the region in which they were appointed (van Rouveroy van Nieuwaal 1987:6-7). In some cases in Central Africa the pre-colonial authorities sent captives or other caste persons to work with the Europeans (Bayart 1993:135-6; cf. Geschiere 1993). In the 1930s, due to resistance to colonial rule, the French made a greater effort to align the appointment of chiefs with what they believed was local custom (van Rouveroy van Nieuwaal 1987).

In 1934 a French decree covering Guinea required that village chiefs be "...designated by the authority of family heads" (Alexandre 1970a:52-3).<sup>93</sup> Then from 1936 the colonial French West African government required that 'the people' be consulted through the medium of village chiefs about the choice of a canton chief (Cowan 1958:177), reflecting presumed representativity and legitimacy of village chiefs.<sup>94</sup> By the 1940s the British in Cameroon also emphasized the need to introduce elections (Geschiere 1993:163). Chiefs were to be replaced by elected 'native authorities'. In the 1944 a district officer in an area with "...four times as many 'strangers' as natives" argued for elections:

Here you are, the Bakweri Native Administration receiving approximately 1500 pounds sterling a year in tax money of which the strangers in your midst pay almost exactly half. You benefit by their money and you decide how their money shall be used.... This is absolutely contradictory for the things we British believe in and it is against the very things for which we are now fighting a war." (In Geschiere 1993:163.)

Ironically, as Geschiere points out, the British adage in the zone became "no taxation without representation." The Bakweri opposed elections, however, for fear of being outnumbered in their own region. They blocked elections until 1958. In 1947 the French West African colonial government issued a decree on "Indigenous Rule in Senegal" stating that "Village chiefs and commissions are elected by direct universal suffrage by the electors, male and female..." for a four year term (Alexandre 1970a:58).<sup>95</sup> But in 1957 the colonial government of French West Africa introduced legislation again limiting suffrage to household heads (as in 1934) and a specified list of notables, while limiting candidacy for the position to those from "...families who have a right to the chieftaincy..."

(Alexandre 1970a:61).<sup>96</sup> No limits were set on their term.<sup>97</sup> This system was in place at independence.

As instruments of French rule, chiefs were backed by the French military, allowing them to make and enforce native laws (through the system of native tribunals, *'l'indigénat'*) and gather and deliver tax revenues and recruit corvée labor and soldiers. During the 1940s, however, chiefs lost much of the power attributed to them by the French colonial state. On one side powers were shifting away from chiefs as the cadres of professional administrators and specialists within the bureaucracy grew and Africans were elected to political office. At the same time the authority of chiefs was weakened as they lost the power to recruit and use forced labor, with the increased role of technical services and with the activities of political parties among rural constituencies. As Cooper (1996:276,553en13) writes of French West Africa, "The ultimate sign of a shift in the nature of authority was that 'traditional chiefs' in the 1950s tried to organize themselves into trade unions," to be set up regionally and regrouped under *Union Fédérale des syndicates des chefs coutumiers de l'A.O.F.* By the end of the colonial period chiefs had risen to and fallen from the peak of their power.

At independence the French-educated young leaders of the new West African nations, Boigny, Touré, Senghor and Keita turned against chiefs. Indeed, countries across Africa excluded chiefs from formal political structures. In Tanzania they were excluded from office and in Nigeria their role was reduced immediately after independence. In the Sudan they were later excluded by the People's Local Government Act in 1985. (Therkildsen 1993:83.) From 1983-87, President Sankara in Burkina Faso challenged chiefs by creating rival village-level institutions (Brock and Coulibaly 1999:152). But, chiefs persisted. As in the French colonial administration, chiefs in the new independent states were incorporated into the administration as civil servants, in pursuit of national unity. (van Rouveroy van Nieuwaal 1987:9,21.) Despite their transformations, the great majority of rural West Africans the village chief remains a principal authority (Alexandre 1970a:24; Fisiy 1992; Ouali et al. 1994:16; van Rouveroy van Nieuwaal 1987:23). Their legitimacy is, however, as Ouali et al. (1994:16) from Burkina Faso's Decentralization Commission noted "full of ambiguity." Being aware that chiefs were often creations of the administration caused "...the *évolué* [a term used by the French for French-educated Africans] to look upon the chief, not as a representative of a way of life which is essentially African, but as a tool in the hands of the administration" (Cowan 1958:186). While chiefs cannot often oblige governments to take any positive action, however, everywhere in Africa they possess the power to hinder government policies by showing—as discretely as they wish—that they do not favor popular cooperation. And so, although it is seldom mentioned in the speeches and development plans, government officials in most countries go out of their way to obtain the local chief's consent to initiatives of various kinds. (Mahwood 1983:231.)<sup>98</sup>

In independent Senegal, Mali, Niger and Burkina Faso there are still state-structured processes for choosing village chiefs (BKF 1993; RdM 1995; Ngaido 1996; RdS 1972). In Senegal village chiefs (usually the head of the hereditary male line) are elected by heads of households, who are virtually all male (RdS 1972:968). This system is identical to the colonial system first instituted in Guinea in 1934 and later throughout the French West African colonies (Alexandre 1970a:52-3). In Mali, under the new laws of decentralization, village chiefs are selected by a village council (of five to seven

members) elected by universal suffrage in each village, but from a list of candidates *selected* by the appointed state administrator at the level of the *cercle*. (The village council is presided over by this same state representative.) (RdM 1995:art.62,70.) The term of the village council and chief is five years (RdM 1991:art.171).<sup>99</sup>

In Niger, "traditional chiefs" have been officially recognized since the mid 1970s and their current status is laid out in a 1993 Ordinance (93-028 in Ngaido 1996), according to which only those "...of a given traditional or customary collectivity can be candidate to the chieftaincy of the considered collectivity, if he has customary right to it" (Ngaido 1996:art.7). As Ngaido (1996:19) points out "Chieftaincy becomes a caste in which only birth members can postulate to role of chief." Chiefs have the status of "administrative magistrate," allowing them to preside over local customary, civil and commercial matters. Chiefs in Niger also preside over a village council "elected or designated" by "local structures of participation" which include youth associations, cooperatives, socio-professional groups, Islamic associations (the Imam), etc.<sup>100</sup> The village council *advises* the local state administrator. "Customary and traditional communities are hierarchically integrated in the administrative organization...placed under the tutelage of administrative circumscriptions and territorial collectivities..." (Ngaido 1996:art.2). (Diallo 1994:12-3; Ngaido 1996:17-20.)

Village chiefs in these Sahelian countries are not necessarily representative of or accountable to the populations over whom they preside. The official processes in Senegal and Burkina Faso systematically under-represent or exclude women, but to a much lesser degree in Burkina Faso where women have one third of the village vote. In Niger and Senegal chiefs hold their position for life. They neither represent—in any procedural sense—nor are they systematically accountable to the village as a whole. Further, in Niger, only members of an elite line, or "caste," can run for the office. In Burkina Faso and Mali the process for choosing village council presidents and village chiefs appears more accountable due to regular periodic elections. In Mali, however, under the new decentralization laws chiefs are effectively administrative appointees confirmed by periodic local elections. Chiefs elsewhere in Africa are also not obvious representatives of their communities, as post independence experience in the Anglophone countries indicates (Mamdani 1996). Under Amin, in the 1970s in Uganda, for example, "the counties, sub-counties, parishes and sub-parishes (villages) were headed by paramilitary chiefs who had undergone specific military training" (Tukahebwa 1998:12).

Aside from the systems of chief selection, there are various social mechanisms—not explored in this review—that can hold village 'customary' authorities or elite locally accountable (see Fisiy 1992:213; Spierenburg 1995; Mamdani 1996; cf. Hirschman 1970; cf. Scott 1976; Thomson 1995:14).<sup>101</sup> These, however, may not assure the accountability of chiefs. Some are despots, others responsive community leaders, depending on the personality of the chief, the specific history of the village in question, and its location in a larger political economy.<sup>102</sup> For example, in a 1994 forest rebellion involving thirty villages in Makacoulbantang, Eastern Senegal, about half of the chiefs acted in line with the wishes of villagers, who by-and-large were against commercial woodcutting in their area. The other chiefs were 'bought for a few sacks of rice' by the wood merchants. In Eastern Senegal, village chiefs have a difficult time denying access to powerful merchants. These merchants often are close to political and religious leaders and villagers rely on them for access to loans and connections in urban centers. Village chiefs are

pulled by local wishes and by the broader relations in which they are embedded. (Ribot 1995; 2000.)

In many instances, the authority of chiefs, with whom international development agencies often establish their ties to local populations, is still legally structured by the State. Chiefs are not necessarily an alternative to the State, but often a particular manifestation of state intervention. In the countries of the West African Sahel current village chiefs chosen through State sanctioned processes typically come into the position through inheritance via a patrilineage tracing back to warriors, the founding family of the village, or families chosen by colonial powers to replace antagonistic local leaders. But to view chiefs as indigenous, 'traditional', local and accountable representatives of rural populations is to assume too much. Intervening through chiefs may be, as Mamdani (1996) suggests, the continued encapsulation of individuals within community through the administratively driven empowerment of these so-called 'customary' decision makers to 'represent' local people. "The important point has been made by Geschiere that what now pass as traditional offices in Southern Cameroon are often 'essentially modern positions of power' which 'colonialists and chiefs alike...have made consistent efforts to ... "traditionalise"' – though often with rather little success and limited acceptance by the supposed subject populations" (Brown 1999:45).

The important things to retain from this analysis are: 1) that chiefs are not necessarily representative, legitimate or even liked by local populations; 2) that they are often constructions of the central state and at times are administrative auxiliaries of central authorities—even today; 3) chiefs are not necessarily accountable to the local population; and 4) empowering or working with them may not serve the efficiency, equity or development aims so often forwarded by decentralization advocates.

### **Annex C: Accountability Mechanisms**

Below is a list of accountability mechanisms that emerge in the literature. Brinkerhoff (2001) provides an excellent analysis making accountability issues much more legible. Hirschman's (1970) analysis of exit, voice and loyalty may be another frame for organizing an analysis of accountability. This list, however, is not systematized around either framework. Nevertheless, it illustrates that there are multiple mechanisms that policy makers could put in place to establish greater public accountability of government.

**Legal recourse** through courts is an important means of accountability. Independent judiciaries are critical for holding public figures accountable. Often the judiciary is not independent for numerous structural reasons. Local authorities who may very appropriately have the power to adjudicate among local citizens, for example, should not adjudicate inter-jurisdictional cases or cases between themselves and others (Agrawal and Ribot 1999; Mamdani 1996; Oloka-Onyango 1994:463). Courts are inaccessible to many citizens in Africa. Regardless of whether courts are well structured, they are often too far to travel or too expensive or complex for average citizens to access. Public interest law associations can help to assure that poor and marginal populations have greater access (Veit and Faraday forthcoming). French system of having a tribunal administratif has been cited as one useful accountability mechanism (Rothchild 1994:6). The ombudsman is another recourse structure that has been of use (Rothchild 1994:6). Such complaint officers have been established in South Africa, Tanzania and Zimbabwe (Therkildsen 2001:27fn26,29-30).<sup>103</sup>

There is often a failure to **separate powers** of the judiciary, legislative and executive, particularly at the local level. Without separation of powers there is no balance of powers within government and no alternative routes for people to challenge representatives and administrators or to change or even enforce the rules by which all branches of government operate. This is what O'Donnell (1999:38—cited in Brinkerhoff 2001:3) calls 'horizontal accountability'. In the colonial period, the judiciary and executive were fused in the local arena both through the indigenat courts of the French and in the system of Indirect rule. This failure to separate powers denies recourse. This is still the case in many places, such as in Uganda's local governments and in most disputes with technical services. (Mamdani 1996; Oloka-Onyango 1994:463.)

Ostrom (1999) argues that **polycentricity** of government and the **balance of powers** are important structural aspects of accountability. A balance of powers in which there are counter powers to the central government can increase accountability by increasing the number of actors with a voice in politics and the ability of non-central actors to scrutinize central institutions. World Bank (2000:112) suggests that there is a need to institutionalize the balance of powers between national and local governments through rules that protect and limit the rights of sub-national governments. Ostrom (1999) supports the notion of 'polycentricity of government', suggesting it introduces such a balance. She argues that multiple loci of power combined with higher levels of government whose role it is to protect people from the excesses of power of elite actors in lower levels are necessary for balancing power.

**Independent or third-party monitoring** by elected comptrollers, NGOs or the associative movements can help construct downward accountability. In some countries, such as the U.S. there are elected town comptrollers. These officials monitor the affairs of local government for the local community. NGOs and other associations can also play a

monitoring role. While they should have no powers over community resources or decisions (since NGOs are private bodies and are not necessarily accountable or representative), they can monitor local and national government to assure they are meeting their legal obligations. They can also inform the local population and/or file suit if the government is not living up to its requirements. NGOs and associations can also, of course, lobby on behalf of the portion of civil society that they represent.

Blair (2000:24) describes Bolivia's vigilance committees to monitor elected bodies with members 'selected' from traditional local governance systems including peasant unions and neighborhood councils. Native American women in Canada recently blamed tribal chiefs of "rigging elections, stealing government money, and going on fancy gambling vacations in the States, while their people live in third world poverty" (Brooke 2001:A3). These women have formed the First Nations Accountability Coalition. One member has used hunger strikes to demand accountability of the native American chiefs and of the members of Canada's government who support them. The group has also put together a document recounting numerous instances of corruption and have held 'hearings' on the matter around the country. They also delivered their findings to Canada's Senate.

Confederations, federations and unions of associations and other groups within society can constitute an associative movement. One example is Senegal's FONG (the Federation of NGOs), which is a nationally constituted lobbying group representing a variety of rural associations around Senegal. Such associative movements can be supported by enabling legislation permitting associations, federations and confederations to form, and through organizing assistance. They can foster accountability by monitoring, informing and lobbying. Political pressures and **lobbying** by associations and associative movements can monitor and apply counter pressure. Lobbying has been supported as an activity to hold governments to account, but this activity can be very difficult and risky in the absence of recourse and other enabling legislation that allows people to organize and pressure their governments. Of course, lobbying can reduce accountability toward the less powerful and be highly skewed toward more powerful interest groups.

**'Transparency'**, that is openness to public scrutiny, is an accountability mechanism frequently called for by international organizations.<sup>104</sup> The members of working groups at the 1993 international conference on "Local Self-governance, People's Participation and Development" in Kampala "...stressed again and again the necessity for greater transparency and accountability at all levels of government to ensure efficiency and honesty. ... Democratic reforms and checks and balances at all levels of government are needed to ensure that good governance can be sustained over time" (Rothchild 1994:6). **Providing of information** on roles and obligations of government by the media and NGOs, or by government through public reporting requirements is one means of increasing transparency.

A **free media** can also play such a monitoring role. A free media can shape public action, as Sen (1981) showed its role in averting famines in India. The media can also serve to disseminate important information to local populations on what their rights are and what they can expect from their local government leaders (cf. Tendler 1997:15). The participants in a 1994 conference on decentralization in Ouagadougou agreed that while representation is necessary, "...citizen participation in local affairs is necessarily limited when there are constraints on the freedom of association and the liberty of expression"

(Mbassi 1995:28). **Freedom of speech** more generally, then, is an important issue. It is needed at the national scale in terms of free media and legal protections of freedom of expression. It is also a problem for women and minorities in the most local arenas, as described below.

Practices of **public discussion** can also increase transparency, as with the elders of many villages across Africa, or like the use of spirit mediums as practiced by the Mhondoro cults (Spierenburg 1995). Practices of required **public meetings** with representatives on all budget and policy decisions. In Uganda, many local people did not feel listened to by their representatives. Nonetheless, people felt it was very important to gather and to exchange views with each other at Local Council meetings. One survey reported that 63 percent of Ugandans claim to participate in the Local Council decision-making process (Saito 2000:8). Public fora have serious limits since marginalized groups, such as women, religious minorities, or immigrants, may not feel comfortable voicing their opinions, so they cannot be the only forum. But they can be positive. Requirement of **public reporting**, such as the weekly posting of budgets in local papers or just on the wall of the local government building, is another mechanism to render government accountable. If budgets, decisions and planned programs and spending are publicly posted, people will have an easier time discerning whether local government is serving their interest. This is a very easy mechanism to legislate.

**Participatory processes** can also be employed to improve dialogue between government and people. Through facilitated processes of participation in which information is exchanged, people can learn which services government can provide, and expectations can be built. In this manner people can learn to make more demands on their representatives. Orchestrated participation can also increase public participation in decision making in a way that complements or strengthens other representative organs and adds to the public's ability to make demands on local authorities. The danger is when 'participatory' methods are used as an alternative to representative and accountable government—indeed, a way of avoiding government. This use of participation could undermine the legitimacy and accountability of local government.

**Civic education** is important for building accountability of government. It is about people *knowing their rights* and *knowing the powers and obligations of their representatives*. In Uganda, many local people do not know how the elected local councils work. Many are suspicious that “the local leaders are eating our money.” Explaining democratic local government to people can engage them with governing processes. One Ugandan woman to whom decentralization was explained for the first time said “in the past I was unwilling to pay my tax, because I was not clear how the money was used. Now I am willing to pay it since I now know how it is used” (Saito 2000:10). **Education** writ large is also important for forming a critical citizenry. General education, which includes literacy, numeracy, analytical skills, history and other information dissemination, is another way to empower people to make demands on their representatives.

**Discretionary** powers in the hands of local leaders can have positive effects on accountability and on the engagement of civic organizations. Co-financing in which communities are required to provide a portion of the funds for a given program has been proposed as a way to give communities 'ownership' in local programs. But, “experience so far is that this is both patronizing and empirically difficult to substantiate” (Onyach-

Olaa and Porter 2000:25). Onyach-Olaa and Porter (2000:25) observed that where the funds transferred were truly discretionary and seen as a supplement to local funds, however, that Local Councils "...have no difficulty in principle contributing a major share of their revenue..." and where there is no required contribution Local Councils "...have begun to utilise the funds in very inventive ways" with higher efficiency and 'multiplier' effects.<sup>105</sup> "...If truly discretionary resources are made available, experience so far suggests that room begins to be created for better 'downward accountability', to local constituents who expect and demand that Councilors will stretch the resources as far as possible." Joshi's (personal communication, IDS, Sussex 1999) observation that in India civil society organizations begin to form around and lobby strong local governments supports the argument that having discretionary powers within the local arena is one way to make local government accountable. Without powers, there is actually no reason for anyone to even try to hold local government to account.

**Proximity** of leaders to their community and their **embeddedness** in local social relations can also make some difference. Community Based Natural Resource Management is lauded for increasing accountability by dint of community being close and involved in formulation and implementation of natural resource management (Hue 2000:4). The way authorities are embedded in social relations within their communities may help to make them more accountable to the local population. Authorities within the communities they govern must live with the consequences of their decisions on people they know and who know them. This fact may influence their decision making. Clearly, different **ideologies** or belief systems of leaders and their communities can also have an influence on accountability relations, although these may be less amenable to policy intervention. For example, the Fon (Ghanaian Chief) feels that the community is in his hands and that this is a responsibility he has inherited.

**Civic dedication** can play an important role too. Tandler (1997:15) shows that public sector workers can be highly dedicated to their jobs. This was in the context where civil servants were given greater autonomy than usual and performed quite well at their jobs. "On the one hand, workers wanted to perform better in order to live up to the new trust placed in them by their clients and citizens in general. The trust was a result of the more customized arrangements of their work and the public messages of respect from the state. On the other hand, the communities where these public servants worked watched over them more closely. The state's publicity campaigns and similar messages had armed citizens with new information about their rights to better government and about how public services were supposed to work." Along these lines, awards for community service can be another accountability mechanism. Therkildsen (2001:27fu26) points out another point of moral leverage, that is codes of conduct for politicians and civil servants, which have been applied in Tanzania, Uganda and South Africa.

**Reputations** that societies hold people to and people want to maintain can also shape their public and private behavior (Bordieu 1977). **Trust** is another element that, if developed, is believed to improve the accountability of local governments. Putnam (1993) argued that environments with numerous civil society organizations, social networks that link people to government, society and business, and relations based on shared values and trust enjoy greater levels of mutual accountability among state, market and civil society. This in turn is argued to lead to more efficient government and a more

synergetic relation between state and civil society. (Bebbington and Kopp 1998:13; Evans 1997.)

**Administrative dependence** on local elected authorities can increase administrative accountability to local populations. Blair (2000) points out that administrative bodies should be accountable to elected authorities and elected authorities should be accountable to the people. Entrusting local government to manage service and development activities within the public domain involves making public-resource users and public-service providers accountable to local government. This can be accomplished by enabling local government to contract out service provision, to provide it in-house when appropriate, and to have control over the advisors and experts they hire or who offer them services from NGOs or the central state. Creating mechanisms so that local government can contract competitively with line ministries or private service providers and experts may effect the accountability of these service providers (cf. Therkildsen 2001:27,fn26). This strategy attempts to create competition among service providers and incentives for providing better services. For this purpose it may require central government to commit to providing local government with a budget—a budget drawn from the resources central government would ordinarily have spent directly supporting line ministries—or it may require taxation powers.

Administrative dependence may also involve making private and other non-governmental organizations accountable to local government through local government approval for the use and management of commonly held public resources. For outside projects involving ad hoc or permanent planning and coordination committees, local government authorities would have the final decision making power over their activities to assure that these activities were under representative community control. The law can make local administration (even deconcentrated services) subordinate to elected local government. In this manner, local elected government can have decision-making powers, veto powers or other forms of control over the decisions of central government ministries in matters determined to be within local jurisdiction.

**Taxation** arrangements have been argued to seriously affect the relations of accountability between people and their governments. Moore (1997) has forcefully argued that governments that depend on taxes derived from the earned income of their populations are more likely to have populations that make demands on government and hold their governments accountable (cf. Therkildsen 2001:30 on user charges serving a similar function). He has also argued the converse, that governments dependent on outside assistance are not likely to be accountable to their populations. (Also see Yates 1996; Guyer 1992.) In much of Africa local governments have had difficult times collecting taxes. Local tax rates and collection have declined places such as Kenya, Zimbabwe, Tanzania, Nigeria (Therkildsen 1993:84-5). In southern Nigeria where rates fell from eight percent of income in 1968 to under two percent for poorer farmers by 1988, Guyer explains that “With such low contributions..., financial management becomes a poor basis for people’s demands for accountability; with no graduation of taxation there is no official theory of inequality and no way for the poorer majority to demand higher contributions from their wealthy brethren; with no property tax there is no basis for ... growing outside business in the area to support its development... The material basis for a [Western style] form of democratic struggle for accountability and control is more or less defunct. (Guyer 1992:57)” (cited in Therkildsen 1993:85).

Central government can play roles in assuring accountability of local government and must also be accountable for some services to local government. Central government **oversight** of local government can play a role in local government's downward accountability. Oversight of the local state by central government, making sure they carry out their duties, is another means of assuring local government is accountable to local populations (cf. Tendler 1997:15). Uphoff and Esman (1974:xx) state "sanctions to control the acts of leaders of local organizations should be balanced both from above and from below to get the best performance" (emphasis in original). Parker (1995:35) also argues for central monitoring and sanctions to "...penalize institutions that do not carry out their functions appropriately." Tendler (1997), however, cautions against this sanction-based approach, pointing out that greater degrees of local autonomy can improve government performance of community services. (Cf. Evans 1997.) A system of internal performance audits can also assure accountability (Rothchild 1994:6).

**Social movements** are another effective tool for holding governments accountable to their people (Mamdani and Wamba-dia-Wamba 1995). Resistance and threats of resistance can motivate governments to act on behalf of concerned populations when other accountability mechanisms fail. Social movements, resistance, sabotage and other forms of rebellion can be effective ways for local populations to create a domain of local autonomy or to make government responsive (Ribot 2000; cf. Scott 1976). The participants in a 1994 conference on decentralization in Ouagadougou agreed, while representation is necessary, "...citizen participation in local affairs is necessarily limited when there are constraints on the freedom of association and the liberty of expression" (Mbassi 1995:28). such freedoms are critical for enabling organizing by groups from NGOs, peasant organizations, vigilance committees, to whole social movements.

## Bibliography

- Agrawal, Arun. 1997. "Community in Conservation: Beyond Enchantment and Disenchantment," Conservation and Development Forum Working Paper No. 1, University of Florida, Gainesville. March 18 Draft.
- Agrawal, Arun and Jesse C. Ribot. 1999. "Accountability in Decentralization: A Framework with South Asian and African Cases," *Journal of Developing Areas* Vol. 33, Summer 1999, pp. 473-502.
- Ahwoi, Kwamena. 2000. "Challenges Facing Local Governments in Africa in the 21<sup>st</sup> Century: An Executive Summary," *Local Government Perspectives* Vol. 7, No. 3, insert, pp. 1-7.
- Alcorn, Janice B. 1999. "Community Governance of Biodiversity Resources: Policy Reforms that can Make a Difference," *The Good Society* 9(2):42-6.
- Alden Wily, Liz. 2001. "Democratic Woodland Management in Eastern & Southern Africa—What's Happening?" Forthcoming in *Dryland Series*, IIED, January 2001. Mimeo.
- Alden Wily, Liz. 2000. "Sharing Products or Power? Intentions, Meanings and Approaches to Community Involvement in Forest Management in East and Southern Africa," Draft Paper, Final version, 7 November 2000. Mimeo.
- Alex, Gary, Chris Gerrard, Derek Byerlee, C. Annor-Frempong, Daniel Moreau, David Neilson, Dey Gasasin, Eliseo Ponce, Graham Kerr, Jaakko Kangasniemi, Joko Budianto, Mahmood Kamara, Marie-Hélène Collion, Matthew McMahan, Melissa Williams, Solomon Bekure and Willem Zjip. 2000. "Decentralizing Agricultural Extension: Lessons and Good Practice," Work in progress for publication by The World Bank, Rural Development Family, *Agricultural Knowledge and Information Systems Good Practice Note*. August 2000.
- Alexandre, Pierre. 1970. "Chiefs *Commandants* and Clerks: Their relationship from Conquest to Decolonisation in French West Africa," pp. 2-13 in Michael Crowder and Obaro Ikime (eds.) *West African Chiefs: Their Changing Status under Colonial Rule and Independence*. New York: Africana Publishing Company.
- Alexandre, Pierre. 1970a[1959]. "The Problems of Chieftaincies in French Speaking Africa," pp. 24-78 in Michael Crowder and Obaro Ikime (eds.) *West African Chiefs: Their Changing Status under Colonial Rule and Independence*. New York: Africana Publishing Company. First Published as "La probl me des chefferies en Afrique noire Franaise," in *Notes et Etudes Documentaires*, No. 2508, 10 February 1959.
- Anderson, John, Jean Cl ment and Loy Van Crowder. 1998. "Accommodating Conflicting Interests in Forestry—Concepts Emerging from Pluralism" *Unasylva* Vol. 49, No. 194, pp. 3-10.
- BKF (Burkina Faso). 1993. "Loi No. 007/93/ADP Portant regime electoral des conseillers de village, de secteur communal, de department et de province," Government of Burkina Faso.
- Bhagwati, Jagdish N. 1982. "Directly Unproductive, Profit-seeking (DUP) Activities," *Journal of Political Economy* Vol. 90, No. 5, pp. 988-1002.
- Baland, Jean-Marie and Jean-Philippe Platteau. 1996. *Halting Degradation of Natural Resources: Is there a Role for Rural Communities?* Oxford: Clarendon Press.
- Balogun, M.J. 2000. "The Scope for Popular Participation in Decentralization, Community Governance and Development: Towards a New Paradigm of Centre-Periphery Relations" *Regional Development Dialogue*, Vol. 21, No. 1, Spring 2000, pp. 153-73.
- Bardhan, Pranab. 1997. "Corruption and Development: A Review of Issues," *Journal of Economic Literature*. Vol. XXXV (September 1997), pp. 1320-46.
- Bardhan, Pranab, and Dilip Mookherjee. 1999. "Relative Capture of Local And Central Governments: An Essay in the Political Economy of Decentralization," First Draft of paper presented at the AEA 2000 Session on Political Economy, Governance and Development, 30 November 1999, Mimeo.
- Bassett, Thomas J. and Donald E. Crummey (eds.) *Land in African Agrarian Systems*. Madison: University of Wisconsin Press.
- Bates, Robert. 1981. *Markets and States in Tropical Africa*. Berkeley: University of California Press.
- Bayart, Jean-Franois. 1993. *The State in Africa: The Politics of the Belly*. London: Longman.
- Bazaara, Nyangabyaki. 2001. "From Despotic to Democratic Decentralization in Uganda: A History of Control over Nature," Draft report for the collaborative Centre for Basic Research and World Resources Institute program "Environmental Accountability in Decentralized Contexts," Kampala (Mimeo).

- Bebbington, Anthony and Adalberto Kopp. 1998. "Networking and Rural Development Through Sustainable forest Management: Frameworks for Pluralistic Approaches," *Unasylva* Vol. 49. No. 194, pp. 11-18.
- Beck, Linda J. forthcoming. "Reigning in the Marabouts? Democratization and Local Governance in Senegal," *African Affairs*.
- Beinart, William and Peter A. Coates. 1995. *Environment and History: The Taming of Nature in the USA and South Africa*. London: Routledge.
- Benjaminsen, Tor A. 1997. "Natural Resource Management, Paradigm Shifts, and the decentralization Reform in Mali," *Human Ecology* Vol. 25, No. 2: pp. 121-43.
- Benjaminsen, Tor A. 2000. "Conservation in the Sahel: Policies and People in Mali, 1900-1998," pp. 94-108 in Vigdis Broch-Due and Richard A. Schroeder, eds. *Producing Nature and Poverty in Africa*. Stockholm: Elanders Gotab.
- Berry, Sara. 1993. *No Condition is Permanent: The Social Dynamics of Agrarian Change in Sub-Saharan Africa*. Madison: University of Wisconsin Press.
- Berry, Sara. 1989. 'Social Institutions and Access to Resources', *Africa*, 59(1).
- Bish, Robert L. and Vincent Ostrom. 1973. *Understanding Urban Government*. Washington DC: American Enterprise Institute for Public Policy Research.
- Biya, Paul. 1986. *Communal Liberalism*. London: MacMillan Publishers.
- Blair, Harry. 2000. "Participation and Accountability at the Periphery: Democratic Local Governance in Six Countries" *World Development* 28(1):21-39.
- Blundo, Giorgio. 1998. "La Gestion Locale des Ressources—Décentralisation et Participation: Rupture ou Continuité des Modes de Gestion?" pp. 63-114 in Utting, Peter and Ronald Jaubert, eds. *Discours et réalités des politiques participatives de gestion de l'environnement: le cas du Sénégal*. Switzerland: UNRISD.
- Blundo, Giorgio and Roch Mongbo (eds.) 1998. *Décentralisation, pouvoirs sociaux et réseaux sociaux*. APAD Bulletin No. 16, décembre 1998. Münster: Lit Verlag.
- Bourdieu, Pierre. 1977.
- Bowles, Samuel and Herbert Gintis. 1999. "Community and Reciprocity," *The Good Society* 9(2):47-51.
- Brinkerhoff, Derick W. 2001. "Taking Account of Accountability: A conceptual Overview and Strategic Options," Draft Report to U.S. Agency for International Development, Center for Democracy and Governance, Implementing Policy Change Project, Phase 2, Washington, D.C.: Abt. Associates Inc. mimeo.
- Brock, Karen and N'golo Coulibaly. 1999. "Sustainable Rural Livelihoods in Mali," Research Report 35, Sustainable Livelihoods Programme, Brighton, Sussex: Institute for Development Studies.
- Brooke, James. "Canada's Tribal Women Fight (Mostly Male) Graft" *New York Times* Monday, 1 January 2001, p. A3.
- Brown, David. 1999. "Principles and Practice of Forest Co-Management; Evidence from West-Central Africa," European Union Tropical Forestry Paper 2, ODI, London.
- Brunner, Jake and François Ekoko. 2000. "Cameroon" Ch. 3, pp. 59-82 in Frances J. Seymour and Navroz K. Dubash (eds.) *The Right Conditions: The World Bank, Structural Adjustment, and Forest Policy Reform*. Washington: World Resources Institute.
- Buell, Raymond Leslie. 1928. *The Native Problem in Africa*. Volumes I and II. New York: The MacMillan Company.
- Amita Baviskar. n.d. [c. 2001] "The Dream Machine: Following the Course of the Watershed Mission in Jhabua, M.P. Department of Sociology, University of Delhi. Mimeo.
- Capon, Jan and Jeremy Lind. 2000. "Realities or Rhetoric? Revisiting the Decentralization of Natural Resources Management in Uganda and Zambia." Nairobi: ACTS Press.
- \*Cernea, Michael. 1989.**
- Cernea, Michael (ed.) 1985. *Putting People First: Sociological Variables in Rural Development*. New York: Oxford University Press.
- CARE-Mali. 1993. "Ogokana," Agriculture and Natural Resources Technical Report Series, Projet d'Agro-Sylviculture Villageoise de Koro, December 1993.
- Chambers, Robert. 1983. *Rural Development: Putting the Last First*. Essex: Longman Scientific & Technical.

- Chanock, Martin. 1991. "Paradigms, Policies, and Property: A Review of the Customary Law of Land Tenure," Ch. 2, pp. 61-84 in Kristin Mann and Richard Roberts (eds.) *Law in Colonial Africa*. Portsmouth, NH: Heinemann.
- Clauzel, J. 1995. "Données, enjeux et techniques de la décentralisation en Afrique," pp. 45-64 in J.P. Elong Mbassi (ed.) *La Décentralisation en Afrique de l'Ouest*. Conduit du processus dans les pays francophones et lusophones, Ouagadougou, 5-8 avril 1994. Cotonou, Bénin: PDM and CEDA.
- Cohen, John and Norman Uphoff. 1977. *Rural Development Participation: Concepts and Measures for Project Design, Implementation and Evaluation*. Ithica: Rural Development Committee, Cornell University.
- Conyers, Diana. 2001. "Whose Elephants are they? Decentralization of Control over Wildlife Management through the CAMPFIRE Programme in Binga District, Zimbabwe. Draft Working Paper Submitted to World Resources Institute, May 2001, mimeo.
- Conyers, Diana. 2000. "Decentralisation: A Conceptual Analysis," Part 1, *Local Government Perspectives: News and Views on Local Government in Sub-Saharan Africa* Vol. 7, No. 3, May 2000, pp.7-9,13.
- Conyers, Diana. 2000a. "Decentralisation: A Conceptual Analysis," Part 2, *Local Government Perspectives: News and Views on Local Government in Sub-Saharan Africa* Vol. 7, No. 4, September 2000, pp. 18-24.
- Conyers, Diana. 1990. "Decentralization and Development Planning: A Comparative Perspective," ch. 1, pp. 3-14 in P. de Valk and K. H. Wekwete (eds.) *Decentralizing for Participatory Planning: Comparing the Experiences of Zimbabwe and Other Anglophone Countries in Eastern and Southern Africa*. Aldershot: Avebury Press.
- Conyers, Diana. 1983. "Decentralization: The Latest Fashion in Development Administration?" *Public Administration and Development* Vol. 3, pp. 97-109.
- Cooper, Frederick. 1996. *Decolonization and African Society: The Labor Question in French and British Africa*. Cambridge: Cambridge University Press.
- Chauveau, Jean-Pierre. 1994. "Participation paysanne et populisme bureaucratique. Essai d'histoire et de sociologie de la culture de développement," pp. 25-60 in Jean-Pierre Jacob and Philippe Lavigne Delville (eds.) *Les Associations Paysannes en Afrique: Organisation et dynamiques*. Marseille: APAD, and Paris: Karthala.
- Cheema, G. Sabbir and Dennis A. Rondinelli (eds.). 1983. *Decentralization and Development: Polity Implementation in Developing countries*. Beverly Hills: Sage Publications.
- Cohen, John M. and Stephen B. Peterson. 1997. "Administrative Decentralization: A New Framework for Improved Governance, Accountability, and Performance." Development Discussion Paper, No. 582, Harvard Institute for International Development, Harvard University.
- Coleman, James S. 1988. "Social Capital in the Creation of Human Capital," *American Journal of Sociology*, Vol. 94, Supplement, pp. 95-121.
- Cowan, Richard L. Gray. 1958. *Local Government in West Africa*. New York: Columbia University Press.
- Crook, Richard C. and James Manor. 1998. *Democracy and Decentralization in South-East Asia and West Africa: Participation, Accountability, and Performance* Cambridge: Cambridge University Press.
- Crook, Richard C. and James Manor, 1994. "Enhancing Participation and Institutional Performance: Democratic Decentralization in South Asia and West Africa" (Report to the Overseas Development Administration, on Phase Two of a Two-Phase Research Project, January)
- Crook, Richard C. and Alan Sturia Sverrisson. 2001. "Decentralization and Poverty-Alleviation in Developing Countries: A Comparative Analysis or, is West Bengal Unique?" IDS Working Paper 130, Brighton: Institute for Development Studies.
- Crowder, Michael and Obaro Ikime (eds.) 1970. *West African Chiefs: Their Changing Status under Colonial Rule and Independence*. New York: Africana Publishing Company.
- Cruise-O'Brien, Donald. 1975. *Saints and Politicians: Essays in the Organization of a Senegalese Peasant Society*. London: Cambridge University Press.
- Dahl, Robert. 1981. "The City in the Future of Democracy," L. D. Feldman (ed.) *Politics and Government of Urban Canada*. London: Methuen.
- De Tocqueville, Alexis. 1945[1835]. *Democracy in America*. New York: Vintage.
- De Valk, P. 1990. "State, Decentralization and Participation," ch. 1, pp. 3-14 in P. de Valk and K. H. Wekwete (eds.) *Decentralizing for Participatory Planning: Comparing the Experiences of Zimbabwe and Other Anglophone Countries in Eastern and Southern Africa*. Aldershot: Avebury Press.

- Delnooz, Pascale. 1999. *Gestion des Ressources Forestières: La Communauté, L'État et le Marché: Etude de Projets D'Amanégament au Burkina Faso*. Unpublished doctoral dissertation, Fondation Universitaire Luxembourgeoise, Louvain-la-Neuve, Belgium, December 1999.
- Delville, Philippe Lavigne. 1999. "Harmonising Formal Law and Customary Land Rights in French-Speaking West Africa," Issue paper No. 86, IIED.
- Deschamps, Hubert. 1963. "Et Maintenant, Lord Lugard?" *Africa: Journal of the International African Institute*, Vol. 22, No. 4, pp. 293-306, October 1963.
- \*\*\*\***Diallo 2000.**
- Diallo, Mahamadou A. 1994. "Problematique de la Decentralisation au Niger," Preparatory Document for the Praia Conference, CILSS, République du Niger, Financed by the Netherlands and USAID-Niger, May 1994.
- Diaw, Mariteuw Chimère and Phil René Oyono. 1998. "Instrumentalite et Deficit des Itineraires de Decentralisation de la Gestion des Ressources Naturelles au Cameroun" *Bulletin Arbres, Forêts et Communautés Rurales* (15/16):20-5, December 1998.
- Downs, R.E. and S.P. Reyna (eds.) 1988. *Land and Society in Contemporary Africa*. Hanover, NH: University Press of New England.
- Dove, Michael R and Daniel M. Kammen. 2000 [forthcoming]. "Vernacular Models of Development: An Analysis of Indonesia Under the 'New Order'" *World Development*. In Press.
- Echeverri-Gent, John. "Public Participation and Poverty Alleviation: The Experience of Reform Communists in India's West Bengal," *World Development* 20, no. 10 (October 1992): 1401-22
- Ekoko, François. 2000. "Environmental Adjustment in Cameroon: Challenges and Opportunities for Policy Reform in the Forestry Sector," Draft paper for WRI, later published as Bruner and Ekoko 2000.
- Elbow, Kent M. 1996. "Legislative Reform, Tenure, and Natural Resource Management in Niger: The New Rural Code," The Land Tenure Center, Madison, WI, for CILSS and USAID, May 1996.
- Engberg-Pedersen, Lars. 1995. "Creating Local Democratic Politics from Above: The 'Gestion des Terroirs' Approach in Burkina Faso," Drylands Programme Issue Paper No. 54, April 1995. London: IIED.
- Ergas, Zaki (ed.). 1987. *The African State in Transition*. New York: St. Martin's Press.
- Escobar, Arturo. 1995. *Encountering Development: The Making and Unmaking of the Third World*. Princeton: Princeton University Press.
- Etoungou, Patrice. 2001. "L'Impense des Forêts Communautaires: Décentralisation à l'Est Cameroun," Draft working paper for to the joint World Resources Institute/CIFOR-Cameroon program on Decentralization and the Environment, Yaounde, June 2001, mimeo.
- Evans, Peter B. 1997. "The Eclipse of the State? Reflections on Stateness in an Era of Globalization," *World Politics*, Vol. 50, October 1997, pp. 62-87.
- Fairhead, James and Melissa Leach. 1996. *Misreading the African Landscape: Society and Ecology in a Forest-Savanna mosaic*. Cambridge: Cambridge University Press.
- Fisiy, Cyprian F. 1992. *Power and Privilege in the Administration of Law: Land Law Reforms and Social Differentiation in Cameroon*. Research Reports 1992/48, Leiden: African Studies Center.
- Fiszbein, Ariel. 1997. "Decentralization and Local Capacity: Some Thoughts on a Controversial Relationship," paper presented at the FAO/UNCDF/World Bank Technical Consultation on Decentralization, Rome, 15-8 December 1997.
- Fiszbein, Ariel. 1997a. "The Emergence of Local Capacity: Lessons from Colombia." *World Development* Vol. 25, No. 7, July 1997, pp. 1029-43.
- Føllesdal, Andreas. 1998. "Survey Article: Subsidiarity" *The Journal of Political Philosophy* 6(2):190-218.
- Foltz, William J. 1965. *From French West Africa to the Mali Federation*. New Haven: Yale University Press.
- Fortes, M. and Evans-Pritchard, E.E. 1987. *African Political Systems*. London: KPI Press.
- Fox, Jonathan. 1990. "Editor's Introduction" to a special issues: The Challenge of Rural Democratization: Perspectives from Latin America and the Philippines, *The Journal of Development Studies*, Vol. 26, No. 4, July 1990, pp. 8-18.
- Fox, Jonathan and David Brown (eds.) 1998. *The Struggle for Accountability: The World Bank, NGOs, and Grassroots Movements*. Cambridge, MA: MIT Press.
- Ferguson, James. 1994. *The Anti Politics Machine: "Development," Depoliticization, and Bureaucratic Power in Lesotho*. Minneapolis: University of Minnesota Press.

- GOC (Government of Cameroon). 1998. *Manual of the Procedures for the Attribution, and Norms of the Management, of Community Forests*. Ministry of Environment and Forests. Yaoundé: Editions CLE.
- Gellar, Sheldon. 1995. *Senegal: An African Nation Between Islam and the West*. Boulder: Westview Press.
- Geschiere, Peter. 1993. "Chiefs and Colonial Rule in Cameroon: Inventing Chieftaincy, French and British Style," *Africa*, 63(2), pp. 151-75.
- Goldman, Mara. 2001. "Partitioned Nature, Privileged Knowledge: Community Based Conservation in the Massai Ecosystem, Tanzania, Draft working paper for to the World Resources Institute program on Decentralization and the Environment, Madison, June 2001, mimeo.
- Granovetter, Mark. 1985. "Economic Action and Social Structure: The Problem of Embeddedness," *American Journal of Sociology*, Vol. 91, No. 3, pp. 481-510.
- Green, Philip (ed.). 1993. *Democracy: Key Concepts in Critical Theory*. New Jersey: Humanities Press.
- Guha, Ramchandra. 1990. "An Early Environmental Debate: The making of the 1878 forest Act," *The Indian Economic and Social History Review*, Vol. 27, No. 1.
- Guyer, Jane. 1994. "The Spatial Dimensions of Civil Society in Africa: An Anthropologist looks at Nigeria," pp. 215-229 in John W. Harbeson, Donald Rothchild and Naomi Chazan (eds.) *Civil Society and the State in Africa*. Boulder, CO: Lynne Rienner.
- Guyer, Jane. 1992. "Representation Without Taxation: An Essay on Democracy in Rural Nigeria, 1952-1990" *African Studies Review* Vol. 35, No. 1, pp. 41-79.
- Heller, Patrick. 1996. "Social Capital as a Product of Class Mobilization and State Intervention: Industrial Workers in Kerala, India," *World Development* Vol. 24, No. 6, pp. 1055-71.
- Helmsing, A.H.J. (Bert). "Local Economic Development," Draft Paper for the Participatory Symposium, Cape Town, South Africa, 26-30 March 2001, in *Decentralization and Local Governance in Africa*. New York: United Nations Capital Development Fund.
- Hesseling, Gerti (in collaboration with M. Sypkens Smit). n.d.[circa 1984]. "Le Droit Foncier au Senegal: L'Impact de la Réforme Foncière en Basse Casamance," Mimeo.
- Hesseling, Gerti. 1996. "Legal and Institutional Incentives for Local Environmental Management," Occasional Paper No. 17, Henrik Secher Marcussen (ed.), International Development Studies, Roskilde University.
- Hilhorst, Theta and Nettie Aarnink. 1999. *Co-managing the Commons: Setting the stage in Mali and Zambia*. Bulletin 346. Amsterdam: Royal Tropical Institute.
- Hirschman, Albert O. 1970. *Exit, Voice and Loyalty: Responses to Decline in Firms, Organizations and States*. Cambridge: Harvard University Press.
- Hoben, Allan, Pauline Peters and Dianne Rocheleau. 1998. "Participation, Civil Society, and Foreign Assistance to Africa," ch. 4, pp. 109-154 in Peter G. Veit (ed.). *Africa's Valuable Assets: A Reader in Natural Resource Management*. Washington: World Resources Institute.
- Hudock, Ann C. 1999. *NGOs and Civil Society: Democracy by Proxy?* Cambridge: Policy Press.
- Huther, Jeff and Anwar Shah. 1998. "Applying a Simple Measure of Good Governance to the Debate on Fiscal Decentralization," Policy Research Working Paper No. 1894, Washington: The World Bank.
- Hyden, Goran. 1980. *Beyond Ujamaa in Tanzania: Underdevelopment and an Uncaptured Peasantry*. Berkeley: University of California Press.
- Hue, Le Thi Van. 2000. "Institutional Arrangements for Community Based Mangrove forests Management in Giao Lac Village, Giao Thuy District, Nam Dinh Province, Vietnam," Paper presented at the Institutions and Uncertainty Workshop, IDS, Sussex, 6-8 November 2000.
- Jeter, Jon. 2000. "In South Africa, Tribal Ways vs. Modern Government" *Washington Post*. Monday, 18 December 2000, p. A1.
- Kaimowitz, David, Gonzalo Flores, James Johnson, Pablo Panchecho, Iciar Pavéz, J. Montgomery Roper, Cristian Vallejos, and Roger Vélez. 2000. "Local Government and Biodiversity Conservation: A Case From the Bolivian Lowlands," Biodiversity Support Program, World Wildlife Fund, Washington, D.C. Draft Report.
- Karlström, Mikael. "Imagining Democracy: Political Culture and Democratization in Buganda," *Africa* 66, no. 4 (1996).
- Kassibo, Bréhima. 2001. "Resurgence des Autorités Coutumieres au Sein de l'Etat Moderne Africain: Le Cas des Chefferies Traditionnelles au Mali," proposal for joint research with World Resources Institute, May 2001. Mimeo.

- Kassibo, Bréhima (ed.) 1997. *La décentralisation au Mali: état des lieux*. APAD Bulletin No. 14. Hamburg: Lit Verlag.
- Kassimir, Ronald. Forthcoming. "Producing Local Politics: Governance, Representation and Non-State Organizations in Africa," in Thomas Callaghy, Ronald Kassimir and Robert Lutham, eds. *Authority and Intervention in Africa: Politics Across Borders*. Cambridge: Cambridge University Press.
- Keeley, James and Ian Scoones. 1999. "Understanding Environmental Policy Processes: A Review," IDS Working Paper 89, June 1999, Sussex: IDS.
- Kini, Rémi. 1995. "An Evaluation Study of Natural Forest Management for Wood Fuel Production in the Sahel: A Burkina Faso Case," Submitted to Michigan State University in Partial Fulfillment of the Requirements for the Degree of Master of Science, Department of Resource Development.
- Krueger, Anne O. 1974. "The Political Economy of Rent-Seeking Society," *the American Economic Review*, Vol. 64, No. 3, June.
- Little, Peter D. 1994. "The Link Between Local Participation and Improved Conservation: A Review of Issues and Experiences," ch. 15, pp. 347-372 in David Western and R. Michael Wright (eds.) *Natural Connections: Perspectives in Community-based Conservation*. Washington, D.C.: Island Press.
- Lonsdale, John. 1986. "Political Accountability in African History," ch. 7, pp. 126-87 in Patrick Chabal (ed.) *Political Domination in Africa*. Cambridge: Cambridge University Press.
- Lund, Christian. 1998. *Law, Power and Politics in Niger: Land Struggles and the Rural Code*. Hamburg: Lit Verlag.
- Mair, Lucy P. 1936. *Native Policies in Africa*. New York: Negro University Press.
- Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press.
- Mamdani, Mahmood. 1996a. "Indirect Rule, Civil Society, and Ethnicity: The African Dilemma" *Social Justice* 23(1-2): 145-6, Spring-Summer.
- Mamdani, Mahmood and Ernest Wamba-dia-Wamba. 1995. *African Studies in Social Movements and Democracy*. Dakar: CODESRIA.
- Mann, Kristin and Richard Roberts (eds.) *Law in Colonial Africa*. Portsmouth, NH: Heinemann.
- Makara, Sabiti. 2000. "Decentralization for Good Governance and Development: Uganda's Experience" *Regional Development Dialogue*, Vol. 21, No. 1, Spring 2000, pp. 73-92.
- Mandondo, Alois. forthcoming. "Forging (Un)democratic Resource Governance Systems from the Relic of Zimbabwe's Colonial Past," Institute of Environmental Studies, University of Zimbabwe and Centre for International Forestry Research. Mimeo.
- Mandondo, Alois. 2000a. "Situating Zimbabwe's Natural Resource Governance Systems in History," Occasional Paper No. 31, December 2000. Center for International Forestry Research, Bogor.
- Manor, James. 2000. "Local Government in South Africa: Potential Disaster Despite Genuine Promise," Paper prepared for the United Kingdom's Department for International Development, Institute for Development Studies, Sussex. Mimeo.
- Manor, James. 1999. *The Political Economy of Democratic Decentralization*. Washington: The World Bank.
- Mawhood, Philip. 1983. *Local Government in the Third World*. Chichester: John Wiley.
- Mazonde, Isaac Ncube, "The Basarwa of Botswana: Leadership, Legitimacy and Participation in Development Sites," *Cultural Survival Quarterly* (Fall 1996): 54-56
- Mbassi, J.P. Elong (ed.) 1995. *La Décentralisation en Afrique de l'Ouest*. Conduit du processus dans les pays francophones et lusophones, Ouagadougou, 5-8 avril 1994. Cotonou, Bénin: PDM and CEDA.
- McCay, Bonnie. 1998. *Oyster Wars and the Public Trust: Property, Law and Ecology in New Jersey History*. Tucson: University of Arizona Press.
- McIntosh, Alastair. 1990. "Rethinking Chieftaincy and the Future of Rural Local Government: A Preliminary Investigation," *Transformation* (Durban), No. 13, pp. 27-45.
- Mehta, Ajay S. 1996. "Micro Politics of Voluntary Action: An Anatomy of Change in Two Villages," *Cultural Survival Quarterly*, Fall 1996.
- Meinzen-Dick, Ruth, and Anna Knox. 1999. "Collective Action, Property Rights, and Devolution of Natural Resource Management: A Conceptual Framework," Draft workshop paper, 15 July 1999, Mimeo.

- Meinzen-Dick, Ruth and Rajendra Pradhan. 2000. "Implications of Legal Pluralism for Natural Resource Management," Paper presented at the Workshop on Institutions and Uncertainty, Institute of Development Studies, Sussex, 6-8 November 2000. Mimeo.
- Mkandawire, Thandika. 1995. "Beyond Crisis: Toward Democratic Developmental States in Africa," paper presented at CODESRIA's Eighth General Assembly, Crises, Conflicts and Transformations: Responses and Perspectives, 26 June - 2 July 1995.
- Moore, Mick. 1997. "Death Without Taxes: Democracy, State Capacity, and Aid Dependence in the Fourth World," Draft of paper later published in G. White and M. Robinson (eds.) *Towards a Democratic Developmental State*. Oxford: Oxford University Press, 1998.
- Muhereza, Frank. 2001. "Concept Note on the Need to Re-think the Issue of Private Forests," February 2001, Kampala, Uganda. Mimeo.
- Muhereza, Frank. 2001a. "Environmental Decentralization and the Management of Community Forests in Pakanyi Sub-county, Masindi District," Draft report to the World Resources Institute/Centre for Basic Research program on Decentralization and the Environment, Kampala, February 2001, mimeo.
- Musgrave, Richard A. (ed.) 1965. *Essays in Fiscal Federalism*. Washington: The Brookings Institute.
- Mutizwa-Mangiza. 2000. "Comment" on Oyugi (2000) *Regional Development Dialogue*, Vol. 21, No. 1, Spring 2000, pp. 23-25.
- Mwebaza, Rose. 1999. "How to Integrate Statutory and Customary Tenure: The Uganda Case," Issue paper no. 83, IIED.
- Namara, Agrappinah and Xavier Nsabagasani. 2001. "Decentralised Governance and the Wildlife Management Sector: Whose Interests Matter? The Case of Bwindi Impenetrable National Park, Uganda," Draft working paper for to the World Resources Institute/Centre for Basic Research program on Decentralization and the Environment, Kampala, June 2001, mimeo.
- National Research Council. 1992. Sahr John Kpundeh (ed.) *Democratization in Africa: African Views, African Voices*. Washington, D.C.: National Academy Press.
- Ngaido, Tidiane. 1996. *Redefining the Boundaries of Control: Post-Colonial Tenure Policies and Dynamics of Social and Tenure Change in Western Niger*. Doctoral Dissertation, University of Wisconsin, Madison.
- Nkrumah, Stephen A. 2000. "Decentralization for Good Governance and Development: The Ghanaian Experience" *Regional Development Dialogue*, Vol. 21, No. 1, Spring 2000, pp. 53-67.
- Nsibambi, Apolo (ed.) 1998. *Decentralisation and Civil Society in Uganda: The Quest for Good Governance*. Kampala: Fountain Publishers.
- Ntsebeza, Lungisile. 1999. "Land Tenure Reform in South Africa: An Example from the Eastern Cape Province," Issue paper no. 82, IIED.
- Oates, William E. 1972. *The Political Economy of Fiscal Federalism*. Lexington, Mass: Lexington Books.
- Oloka-Onyango, Joe. 1994. "Judicial Power and Constitutionalism in Uganda: A Historical Perspective," pp. 463-518 in Mahmood Mamdani and Joe Oloka-Onyango (eds.) *Uganda: Studies in Living Conditions, Popular Movements and Constitutionalism*. Kampala: Journal für Entwicklungspolitik and Centre for Basic Research.
- Olowu, Dele. 2001. "Local Political and Institutional Structures and Processes," Draft Paper for the Participatory Symposium, Cape Town, South Africa, 26-30 March 2001, in *Decentralization and Local Governance in Africa*. New York: United Nations Capital Development Fund.
- Onyach-Olaa, Martin and Doug Porter. 2000. "Local Government Performance and Decentralisation in Uganda: Implications for Central Governments and Donors," Draft Paper, Mimeo.
- Ostrom, Elinore. 1999. "Polycentricity, Complexity, and the Commons," *The Good Society* 9(2):37-41.
- Ostrom, Elinore. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press.
- Ostrom, Elinor, Larry Schroeder and Susan Wynne. 1993. *Institutional Incentives and Sustainable Development: Infrastructure Policies in Perspective*. Boulder, CO: Westview.
- Ouali, Firmin, Paul Kiemdé and Dénise Yaméogo. 1994. "Etude de base sur l'état de la décentralisation au Burkina," summary report, Commission Nationale de la Décentralisation, Premier Ministère, Burkina Faso, June 1994.
- Ouédraogo, Hubert M.G. 1994. "Les Coutumes Relatives a la Gestion des ressources naturelles au Burkina Faso," FAO, Programme de Cooperation Technique, FAO-LEG: TCP/BKF/2352, Rome, March 1994.

- Oyugi, Walter O. 2000. "Decentralization for Good Governance and Development" *Regional Development Dialogue* 21(1):3-22, Spring 2000.
- Oyugi, Walter O. 1990. "Civil Bureaucracy in East Africa: A Critical Analysis of Role Performance since Independence," in O.P. Dwiwedi and K.M. Henderson, eds. *Public Administration in World Perspective*. Ames: Iowa University Press.
- Painter, Thomas, James Sumberg and Thomas Price. 1994. "Your *Terroir* and my 'Action Space': Implications of Differentiation, Mobility and Diversification for the *Approche Terroir* in Sahelian West Africa," *Africa* 64(4).
- Parker, Andrew N. 1995. "Decentralization: The Way Forward for Rural Development?" Agriculture and Natural Resources Department, The World Bank.
- Perham, Margery. 1960. *Lugard: The Years of Authority 1898-1945*. London: Collins Press.
- Peluso, Nancy Lee. 1992. *Rich Forests, Poor People: Resource Control and Resistance in Java*. Berkeley: University of California Press.
- \*Piccotto, Robert. 1992.**
- Poffenberger, Mark. 1994. "Resurgence of Community Forest Management in Eastern India," ch. 3, pp. 53-79 in Western, David, Michael Wright and Shirley C. Strum (eds.) *Natural Connections: Perspectives in Community-based Conservation*. Washington: Island Press.
- Porter, Doug and Martin Onyach-Olaa, "Inclusive Planning and Allocation for Rural Services," *Development in Practice* 9, nos.1-2, February (1999)
- Porter, Gina and Einir Young. 1998. "Decentralized Environmental Management and Popular Participation in Coastal Ghana," *Journal of International Development* Vol. 10, pp. 515-526.
- Prud'homme, Remy. 2001. "Fiscal Decentralization and Intergovernmental Fiscal Relations," Draft Paper for the Participatory Symposium, Cape Town, South Africa, 26-30 March 2001, in *Decentralization and Local Governance in Africa*. New York: United Nations Capital Development Fund.
- Putnam, Robert D. 1993. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton: Princeton University Press.
- Ranger, Terrance. 1993. "The Invention of Tradition Revisited: The Case of Colonial Africa," ch. 2, pp. 62-111 in Terrance Ranger and Olufemi Vaughan (eds.) *Legitimacy and the State in Twentieth-Century Africa: Essays in Honour of A.H. Kirk-Greene*. Oxford: MacMillan Press.
- RDM. 1996. "Loi No. 96-050, Portant Principes de Constitution et de Gestion du Domaine des Collectivités Territoriales," adopted 16 October 1996, Bamako.
- RDM. 1995. "Loi No. 95-034/ Portant Code des Collectivités Territoriales en République du Mali," adopted 27 January 1995.
- RDM. 1994. "Loi No. 94\_\_\_\_\_/AN-RM Portant Organisation de l'Exploitation, du Transport et du Commerce du Bois," Assemblée Nationale, RDM.
- RDM. 1991. "Code Electoral", Ordonnance No. 91-074/P-CTSP du 10 Octobre 1991.
- RDM. 1977. "Ordonnance N77-44/CMLN du 12 Juillet 1977 portant réorganisation territoriale et administrative de la République du Mali."
- RDN (République du Niger). 1992. ""Projet d'Ordonnance portant organisation de la Commercialisation et du transport de bois dans les grandes agglomérations, et la fiscalité qui lui est applicable." Ordonnance no. 92-037 du 21 Aout 1992.
- RDS (République du Sénégal). 1993. "Code Forestier, Loi No. 93-06 du 4 Février 1993," Ministère de l'Environnement et de la Protection de la Nature.
- RDS. 1972. "Decret no. 72-636 du 29 mai 1972 relatif aux attributions des chefs de circonscriptions administratives et chefs de village," *Journal Officiel de la République du Sénégal*, 17 June 1972.
- RDS. 1964. "Loi no. 64.46 du 17 juin 1964, relative au domaine national," *Journal Officiel de la République du Sénégal*.
- Ribot, Jesse C. Forthcoming. "Integral Local Development: 'Accommodating Multiple Interests' through Entrustment and Accountable Representation," *International Journal of Agriculture, Resources, Governance and Ecology*. Mimeo.
- Ribot, Jesse C. 2000. "Rebellion, Representation and Enfranchisement in the Forest Villages of Makacoulbantang, Eastern Senegal" in Charles Zerner (ed.) *People, Plants and Justice: The Politics of Nature Conservation*. New York: Columbia University Press.
- Ribot, Jesse C. 1999. "Decentralization, Participation and Accountability in Sahelian Forestry: Legal Instruments of Political-Administrative Control," *Africa*, Vol. 69, No. 1, January 1999.

- Ribot, Jesse C. 1999a. "Integral Local Development: Authority, Accountability and Entrustment in Natural Resource Management," Working Paper prepared for the Regional Program for the Traditional Energy Sector (RPTES) in the Africa Technical Group (AFTG1—Energy) of The World Bank, April 1999.
- Ribot, Jesse C. 1999b. "A History of Fear: Imagining Deforestation in the West African Dryland Forests," *Global Ecology and Biogeography* No. 8, pp. 291-300.
- Ribot, Jesse C. 1998. "Theorizing Access: Forest Profits along Senegal's Charcoal Commodity Chain" *Development and Change*, 29, 307-41.
- Ribot, Jesse C. 1998a. "A Political Economy of Cooperative Law Reform in Mali: The State is the Best Hen," Report to Management Systems International and U.S. Agency for International Development/Mali.
- Ribot, Jesse C. 1996. "Participation Without Representation: Chiefs, Councils and Rural Representation," *Cultural Survival Quarterly*, Fall 1996. Special Issue on Participation edited by Pauline Peters.
- Ribot, Jesse C. 1995. "From Exclusion to Participation: Turning Senegal's Forestry Policy Around," *World Development*. Vol. 23, No. 9, pp. 1587-99.
- Ribot, Jesse C. 1995a. "Local Forest Control in Burkina Faso, Mali, Niger, Senegal and The Gambia: A review and Critique of new Participatory Policies," Africa Region, The World Bank.
- Ribot, Jesse C. 1993. "Market-State Relations and Environmental Policy: Limits of State Capacity in Senegal," in Ronnie D. Lipschutz and Ken Conca, eds., *The State and Social Power in Global Environmental Politics*. New York: Columbia University Press.
- Riker, William H. 1964. *Federalism: Origin, Operation, Significance*. Boston: Little Brown.
- Roberts, Richard. 1997. "Conflicts over property in the Middle Niger Valley at the Beginning of the Twentieth Century," *African Economic History* Vol. 25:79-96.
- Roe, Emery M. 1996. *Except-Africa: Remaking Development, Rethinking Power*. New Brunswick: Transaction Publishers.
- Roe, Emery M. 1995. "Except-Africa: Postscript to a Special Section on Development Narratives" *World Development* Vol. 23, pp. 1064-1069.
- Roe, Emery M. 1995a. "More Than the Politics of Decentralization: Local Government Reform, District Development and Public Administration in Zimbabwe," *World Development* Vol. 23, No. 5, pp. 833-843.
- Romeo, Leonardo. 1996. "Local Development Funds: Promoting Decentralized Planning and Financing of Rural Development. United Nations Capital Development Fund, Policy Series.
- Rondinelli, Dennis A., James S. McCullough and Ronald W. Johnson. 1989. "Analysing Decentralization Politics in Developing Countries: A Political Economy Framework" *Development and Change* Vol. 20, pp. 57-87.
- Rosenau, James N. 1993. "Market-State Relations and Environmental Policy: Limits of State Capacity in Senegal," ch. 2, pp. 24-45 in Ronnie D. Lipschutz and Ken Conca (eds.) *The State and Social Power in Global Environmental Politics*. New York: Columbia University Press.
- Rothchild, Donald. 1994. *Strengthening African Local Initiative: Local Self-Governance, Decentralisation and Accountability*. Hamburg: Institut für Afrika-Kunde.
- Saito, Fumuhiko. 2000. "Decentralisation in Uganda: Challenges for the 21<sup>st</sup> Century." Paper delivered at the Centre for Basic Research Seminar Series, 25 May 2000. Paper presented at Workshop on Uganda, Institute of Commonwealth Studies, 7 April 2000. University of London, Mimeo.
- Schilder, Ard and Bram Boeve. 1996. "An Institutional Approach to Local Economic Development: The Case of Sublocational Initiatives in Three Districts in Kenya," *Regional Development Dialog* Vol. 17, no. 2, pp. 94-117.
- Schroeder, Larry and Matt Andrews. 2001. Key Issues in Sectoral Decentralization," Draft Paper for the Participatory Symposium, Cape Town, South Africa, 26-30 March 2001, in *Decentralization and Local Governance in Africa*. New York: United Nations Capital Development Fund.
- Schumacher, Edward J. 1975. *Politics, Bureaucracy and Rural Development in Senegal*. Berkeley: University of California Press.
- Scott, James C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.
- Scott, James C. 1976. *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia*. New Haven: Yale University Press.

- Selznick, Philip. 1984 [first published 1949]. *TVA and the Grass Roots: A study of Politics and Organization*. Berkeley: University of California Press.
- Sewell, David O. 1996. "'The Dangers of Decentralization' According to Prud'Homme: some Further Aspects," *The World Bank Research Observer* Vol. 11, No. 1 (February), pp. 143-150.
- Shah, Anwar. 1998. "Balance, Accountability, and Responsiveness: Lessons about Decentralization," Re-draft of paper presented in World Bank Conference on Evaluation and Development, April 1997 and later Published in Robert Picciotto and Eduardo Wiesner, eds. *Evaluation and Development: The Institutional Dimension*. Washington, D.C.: The World Bank.
- Sharpe, Barrie. 1998. "First the Forest" Conservation, 'Community' and 'Participation' in South-West Cameroon," *Africa* Vol. 68, No. 1, pp. 25-45.
- Sharma, Keshav C. 2000. "Popular Participation for Good Governance and Development at the Local Level: The Case of Botswana" *Regional Development Dialogue*, Vol. 21, No. 1, Spring 2000, pp. 177-91.
- Shipton, Parker. 1995. "Luo Entrustment: Foreign Finance and the Soil of the Spirits in Kenya," *Africa* 65(2):165-96
- Shiva, Vandana. 1989. *Staying Alive*. Atlantic Highlands, NJ: Zed Books.
- Shivaramakrishnan, K. 2000. "Crafting the Public Sphere in the Forests of West Bengal: Democracy, Development and Political Action," *American Ethnologist* Vol. 27, No. 2, pp. 431-61.
- Singh, Naresh and Vangile Titi. 1995. *Empowerment: Towards Sustainable Development*. Atlantic Highlands, NJ: Zed Books.
- Smith, Brian C. 1985. *Decentralization: The Territorial Dimension of the State*. London: George Allen.
- Smoke, Paul. 2000. "Fiscal Decentralization in Developing Countries: A Review of Current Concepts and Practice," Paper prepared for the United Nations Research Institute for Social Development, Geneva, October 2000. Forthcoming in Bangura, Y. (ed.) *Public Sector Reform, Governance and Institutional Change*. Geneva: UNRISD.
- Smoke, Paul. 1999. "Understanding Decentralization in Asia: An Overview of Key Issues and Challenges" *Regional Development Dialogue* 20(2):1-17, Autumn 1999.
- Smoke, Paul and Blane Lewis. 1996. "Fiscal Decentralization in Indonesia: A New Approach to an Old Idea," *World Development* 24, no. 8 (August 1996): 1281-99
- Spierenburg, Marja. 1995. "The Role of the Mhondoro Cult in the Struggle for Control over Land in Dande (Northern Zimbabwe): Social Commentaries and the Influence of Adherents," Center for Applied Social Sciences, University of Zimbabwe, Harare, and Amsterdam School for Social Science Research, Amsterdam, October 1995.
- SSRC. 1999. Investing in Return: Rates of Return of African Ph.D.'s Trained in North America.
- Steffensen, Jesper and Svend Trollegaard. 2000. "Fiscal Decentralisation and Sub-National Government Finance in Relation to Infrastructure and Service Provision: Synthesis Report on 6 Sub-Saharan African Country Studies," Synthesis Report, The National Association of Local Authorities in Denmark, Directed by the World Bank, Financed by DANIDA and USAID, May 2000.
- Suret-Canale, Jean. 1970. "The Fouta-Djalon Chieftaincy," pp. 79-97 in Michael Crowder and Obaro Kikme (eds.) *West African Chiefs: Their Changing Status under Colonial Rule and Independence*. New York and Ile-Ife, Nigeria: Africana Publishing Corporation and University of Ife Press.
- Suret-Canale, Jean. 1966. "La Fin de la Chefferie en Guinée," *Journal of African History*, Vol. VII, No. 3, pp. 459-493.
- Tendler, Judith. *Good Government in the Tropics* (Baltimore, MD: Johns Hopkins University Press, 1997).
- Tendler, Judith. 2000. "Why Are Social Funds So Popular?" Pp. 114-129 in Shahid Yusuf, Weiping Wu and Simon Evenett (eds.). *Local Dynamics in the Era of Globalization*. companion volume of the World Development Report 1999/2000. Oxford: Oxford University Press.
- Therkildsen, Ole. 2001. "Efficiency, Accountability and Implementation: Public Sector Reform in East and Southern Africa," Draft Copy of Democracy, Governance and Human Rights Programme Paper No. 3, United Nations Institute for Social Development, February 2001, mimeo.
- Therkildsen, Ole. 1993. "Legitimacy, Local Governments and Natural Resource Management in Sub-Saharan Africa," pp. 75-92 in Henrik Scher Marcussen (ed.) *Institutional Issues in Natural Resources Management*. Occasional Paper no. 9,
- Thomson, Jamie. 1995. "Community Institutions and the Governance of Local Woodstocks in the Context of Mali's Democratic Transition," Paper presented at the 38th annual meeting of the African Studies Association, 3-6 November 1995, Orlando, FL.

- Tiebout, Charles M. 1972. "A Pure Theory of Local Expenditures," in M. Edel and J. Rothenberg (eds.) *Readings in Urban Economics*. New York: MacMillan.
- Töttemeyer, Gerhard K.H. 2000. "Decentralization for Empowerment of Local Units of Governance and Society: A Critical Analysis of the Nambian Case" *Regional Development Dialogue* 21(1):95-118, Spring 2000.
- Tukahebwa, Geoffrey B. 1998. "The Role of District Councils in Decentralisation," ch. 2 in Apolo Nsibambi (ed.) *Decentralisation and Civil Society in Uganda: The Quest for Good Governance*. Kampala: Fountain Publishers.
- UNCDF. 2000. "Africa: Decentralisation and Local Governance Conference Concept Paper," for Decentralisation and Local Governance Conference, Capetown, March 2001, United Nations Capital Development Fund, Draft.
- UNDP. 1999. *Taking Risks: United Nations Capital Development Fund*. New York: UNDP.
- Uphoff, Norman T. and Milton J. Esman's "Local Organization for Rural Development: Analysis of Asian Experience," RLG No. 19, Rural Development Committee, Special Series on Rural Local Government (Ithaca, NY: Cornell University, 1974).
- Utting, Peter (ed.) 1999. *Forest Policy and Politics in the Philippines: The Dynamics of Participatory Conservation*. Quezon City, Philippines: Anteneo de Manila University Press. Mimeo of Draft.
- Utting, Peter and Ronald Jaubert (eds.). 1998. *Discours et réalités des politiques participatives de gestion de l'environnement: le cas du Sénégal*. Switzerland: UNRISD.
- van Rouveroy van Nieuwaal, Emile, Adriaan B. and Rijk van Dijk. 1999. *African chieftaincy in a New Socio-Political Landscape*. Hamburg: Lit Verlag.
- van Rouveroy van Nieuwaal, Emile. 1987. "Chiefs and African States: Some Introductory Notes and an Extensive Bibliography on African chieftaincy," *Journal of Legal Pluralism*, Nos. 25-6.
- Veit, Peter G. and George Faraday. forthcoming. "Beyond the Presidents' Men" Paper prepared for the World Resources Institute. Mimeo.
- Walker, Peter A. 2000. "Democracy and Environment: Congruence or Contradiction?" *Commons Southern Africa* 2(1):4-6.
- Watts, Michael J. 1987. *State, Oil, and Agriculture in Nigeria*. Berkeley: Institute of International Studies.
- Watts, Michael J. 1993. "Idioms of Land and Labor: Producing Politics and Rice in Senegambia," ch. 6, pp. 157-221 in Thomas J. Bassett and Donald E. Crumme (eds.) *Land in African Agrarian Systems*. Madison: University of Wisconsin Press.
- Webster, Neil 1992. "Panchayati Raj in West Bengal: Popular Participation for the People or the Party?" *Development and Change*. Vol. 23, no. 4, October 1992.
- Weimer, Bernhard. 1996. "Challenges for Democratization and Regional Development in Southern Africa: Focus on Mozambique," *Regional Development Dialogue* Vol. 17, no. 2, pp. 49-50.
- Weinstein, Brian. 1972. *Éboué*. New York: Oxford University Press.
- Western, David and R. Michael Wright. 1994. "Background to Community-based Conservation," pp. 1-15 in David Western, R. Michael Wright and Shirley C. Strum (eds.) *Natural Connections: Perspectives in Community-based Conservation*. Washington: Island Press.
- Western, David R., Michael Wright and Shirley C. Strum (eds.) 1994. *Natural Connections: Perspectives in Community-based Conservation*. Washington: Island Press.
- Wollenberg, Eva, David Edmunds and Jon Anderson. Forthcoming. "Pluralism and the Less Powerful: The Limits and Opportunities of Accommodating Multiple Interests in Local Forest Management," *International Journal of Agriculture, Resources, Governance and Ecology*. Mimeo.
- Woodhouse, Philip. 1997. "Governance and Local Environmental Management in Africa," *Review of African Political Economy* No. 74, pp. 537-47.
- World Bank. 2000. *Entering the 21<sup>st</sup> Century: World Development Report 1999/2000*. Oxford: Oxford University Press.
- World Bank. 1996. *The World Bank Participation Sourcebook*. Washington, D.C.: The World Bank.
- Wolfire, Deanna Madvin, Jake Brunner and Nigel Sizer. 1998. "Forests and the Democratic Republic of Congo: Opportunity in a Time of Crisis," World Resources Institute, Forest Frontiers Initiative.
- Wunsch, James S. and Dele Olowu. 1995. *The Failure of the Centralized State: Institutions and Self-Governance in Africa*. San Francisco: Institute for Contemporary Studies Press.
- Yates, Douglas A. 1996. *The Rentier State in Africa: Oil Rent Dependency and Neocolonialism in the Republic of Gabon*. Trenton: Africa World Press.

## Endnotes

---

<sup>1</sup> See participation, public choice and federalism literature—World Bank 2000; Manor 1999; Hilhorst and Aarnink 1999; Crook and Manor 1998; Hoben, Peters and Rocheleau 1998; Huther and Shah 1998; Sewell 1996; Romeo 1996; Baland and Platteau 1996; Parker 1995; Hesselting 1994; Piccotto 1992; Cernea 1989; Rondinelli et al. 1989; Cheema and Rondinelli 1983; Musgrave 1959. Participatory or accountably representative approaches to natural resource management are lauded for their contribution to economic efficiency, equity, environmental management and development.

<sup>2</sup> In earlier literature the transfers from central to administrative and elected unites of local government were often conflated and both called *devolution* (Rondinelli et al. 1989:75). This conflation is easily made when theorists and practitioners assume that the choices and needs of local populations are automatically taken into account by local administrators.

<sup>3</sup> Note that local governments may also have technical agents and administrators, but when they are accountable to local representatives (see Blair 2000), this still constitutes part of ‘democratic’ decentralization.

<sup>4</sup> Globally, all but twelve of the seventy five developing and transitional countries with populations over five million claim to be transferring political powers to local units of government (see Dillinger 1994:8, cited in Crook and Manor 1998; cf. World Bank 2000).

<sup>5</sup> Buell 1928; Schumacher 1975:89-90; Cowan 1958:60; RdS 1972; Hesselting, n.d.:15; RdM 1977; Ouali et al. 1994:7; Diallo 1994; Gellar 1995:48; Crook and Manor 1994; UNCDF 2000; Ahwoi 2000:2; UNCDF 2000; Mamdani 1996; Mbassi 1995:23; Therkildsen 1993; Rondinelli et al. 1989; Mawhood 1983; Conyers 1984; de Valk and Wekwete 1991; Rothchild 1994; Weinstein 1972:263-6.

<sup>6</sup> It is important to note that the language of rights and enfranchisement was also present in earlier decentralizations. So, this is not a complete change, but rather democratization and rights issues emerge more frequently in this round.

<sup>7</sup> Wollenberg, Edmunds and Anderson (forthcoming), Anderson, Clemént and Crowder (1998), Alden Wily (2000,2001), Meinzen-Dick and Pradhan (2000) and Utting (1999) also points out that natural resource management is moving toward more democratic and rights based premises.

<sup>8</sup> Note that the formal transfer of power to lower levels of government may sometimes be a centralizing act if the powers being devolved were earlier exercised informally by non-state actors.

<sup>9</sup> Decentralization reforms are commonly promoted for four broad objectives: dismantling central government; consolidating national unity; consolidating central power; and strengthening local government. These are discussed later in the review under ‘Why Decentralize’.

<sup>10</sup> As Conyers (2000a:22) points out, “Ironically, decentralization policies are most likely to be implemented effectively in situations where the government is politically secure and power is concentrated in the hands of a relatively small group of people. A secure government can afford to decentralise a substantial amount of power without threatening its own existence, while the centralisation of power enables the key leaders to make and implement policy decisions without undue interference from other interest groups within government.”

<sup>11</sup> Uphoff and Esman (1974:xx) imply that accountable representation increases development performance.

<sup>12</sup> Crook and Sverrisson (2001:5) point out that there are two steps in linking local participation or democracy to outcomes. First is in measuring the ‘responsiveness’ of local decision making processes or authorities to local needs, second is in measuring the relation between the degree of responsiveness and the effectiveness of outcomes. They define institutional responsiveness as “...the achievement of ‘congruence between community preferences and public policies’ such that the activities of the institution are valued by the public” (2001:5). “Responsiveness of policies is a matter of the process through which they are defined, the degree of empowerment and ‘ownership’ which is felt by those affected by them...and, therefore, the general legitimacy of the institution and the procedures by which it allocates resources” (2001:5). This is analogous to what I have called accountability of the local and authorities.

<sup>13</sup> For good arguments in support of good government see Tendler 1997 and Evans 1997.

<sup>14</sup> The term ‘developmentalist’ refers to decentralizations that take place for the purposes of local development. This includes decentralizations whose objectives are better service provision, better local management and more democratic local processes. ‘Developmentalist’ does not include those decentralizations that are a by product of downsizing central government, reducing central fiscal burdens,

---

national unification through the integration splinter groups or break-away regions.

<sup>15</sup> For notable exceptions see Crook and Manor 1998; Therkildsen 2001; Crook and Sverrisson 2001; Saito 2000; Tandler 1997; Ribot 1995, 1995a, 1999, 1999a.

<sup>16</sup> Conflation of the two is frequent since administrative bodies are often given discretion in making decisions on behalf of local populations and may be mandated to be responsive to their needs. Elected bodies are often given responsibilities to deliver services deemed necessary by the central state. It is the realm of given responsibilities and that of discretion that are functionally different. One is about administrative obligation the other about enfranchisement. It is enfranchisement that makes local government a potential realm of independent action in which local populations can act as citizens for their own benefit. It is an enfranchised local government that can be open to the influence of its citizens and civil organizations and can deliver—to the best of its fiscal and technical capacities—according to their wishes. The relation between administrative and political decentralized bodies is important in shaping the degree of local autonomy. (Cf. Oyugi 2000:15.) Also see Oyugi 2000.

<sup>17</sup> Nkrumah (2000:53) states “Whereas deconcentration seeks efficiency, the major values of [political decentralization—which he calls devolution] include participation, effectiveness, and responsiveness—in short, democracy.”

<sup>18</sup> Charlick (in cited in Kassimir forthcoming:125) defines ‘governance’ as “the ways a society organizes to use power to manage public resources, involving the making and implementation of collective decisions, enforcement of rules and resolution of conflicts.”

<sup>19</sup> As prescribed in Lord Lugard’s “Duel Mandate” of 1922, colonial administration was established to benefit the African peoples and the world economy (Therkildsen 1993:79). The prescription that African governance was to serve external instrumental purposes has been reproduced throughout colonial rule, through independence and into the present ‘participatory’ era. Whether the purpose be the support of world markets, agricultural production, development or natural resource management, the duel mandate sets up serious governance tensions. By foisting outside agendas on governance bodies, it undermines the local legitimacy of government. By being oriented toward mobilization of local populations for external purposes, local governance systems set up under colonialism produced subjects rather than citizens setting up systems of management and control rather than representation and enfranchisement.

20. In 1922 Yves Henry (in Chauveau 1994:31-32), the Agricultural Inspector General of French West Africa argued for a participatory model of development “To educate the peasant, give him the means to work well, then progressively bring to his land tenure improvements without which any program would be but in vain....” He then asked:

How does one bring together a producer association and what financial means would one put at their disposition to improve tools and cultivation. In French West Africa these associations find an excellent base in the private mutual assistance societies [*société de prévoyance*]... But their existence will not be assured, they will not fill their duties except under the double condition of being truly agricultural associations and of seeing the structure of the current mutual societies broken from their purely administrative organs that are suffocating them. [Since] the peasant does not understand them, his initiative will not be awakened, he will not cleanly profit except if these organizations are not extremely supple and if the administrative tutelage needed at the beginning is relaxed bit by bit, to finally disappear and be replaced by a simple power of controle.

With such plans, the administration of French West Africa created an agricultural policy it believed was based on the specificities of African peasants (Chauveau 1994:32).

<sup>21</sup> “The basic aim of Indirect Rule is the development of an African society able to participate in the life of the modern world as a community in its own right. In territories where it is followed government does not accept the encouragement of European enterprises as a duty, but judges its value in the light of the contribution which it can make to African development. The other aspect of Indirect Rule—the preservation of African institutions where the needs of the Africans themselves do not call for their modification—is almost a natural corollary of this attitude toward European penetration....

Under Indirect Rule the land of the territory is recognized as the property of the native tribes, and, though alienation is still permitted, the ruling principle is always that such alienation must produce beneficial results to the native community and must be accompanied by adequate compensation. Neither the wholesale transference of native populations nor the curtailment of their reserves to dimensions which make them unable to gain subsistence by their accustomed economic methods are permitted under such a

---

system. Village life on the lands protected by the ancestral spirits, work organized through traditional systems of co-operation and fitting into the accustomed rhythm of alternating effort and recreation, by methods improved perhaps, not under the strain of necessity but through the incentive of increased returns, becomes the bases of an economic development, which, if properly guided, can be integrated into the structure of an African society instead of remaining an external disintegrating force.” (Mair 1936:12-14.)  
22. Quoted in Mamdani 1996:7.

<sup>23</sup> “...although the bifurcated State created with colonialism was deracialized after independence, it was not democratized. Postindependence reform led to diverse outcomes. No nationalist government was content to reproduce the colonial legacy uncritically. Each sought to reform the bifurcated State that institutionally crystallized a State-enforced separation, of the rural from the urban and of one ethnicity from another. But in doing so each reproduced a part of that legacy, thereby creating its own variety of despotism” (Mamdani 1996:8).

<sup>24</sup> As Tukahebwa (1998:12) points out “The local government system that evolved in Uganda was designed to serve the interest of the colonialists.”

<sup>25</sup> At the same time, important deconcentration experiments, such the ‘villagization’ schemes in Tanzania, were also taking place (Oyugi 2000:13). Much of the reform that took place in these early years focused on ‘development’. As Oyugi (2000:13) points out, such development “is usually accompanied by a tendency towards centralization.” In practice, these reforms usually meant the sharing of development decision-making power between central ministries and their field offices. It was a focus on administrative decentralization, giving prominence to development planning involving local-level coordination of program design and implementation, being much in character with the era of integrated rural development.

<sup>26</sup> Powers were legislated in 1988, but never implemented (Diallo 2000).

<sup>27</sup> For an excellent summary of the advantages and disadvantages of ‘fully decentralized systems’, see Ostrom (1999:38-9).

<sup>28</sup> Alden Wily (2000;2001) notes a significant and related shift in the language and orientation of community based natural resource management in East and Southern Africa. She points toward a democratizing trend in this sector.

<sup>29</sup> Heller was writing about Kerala, India.

<sup>30</sup> The World Bank supported twice as many civil service reform operations in Africa during the 1980s than in the rest of developing countries together (Therkildsen 2001:3).

<sup>31</sup> Kaimowitz et al. (2000:8) shows that new decentralization laws in Bolivia were inspired by 1) growing pressure from regional groups, 2) decentralizations occurring in neighboring countries, 3) support from international development agencies. While not an African example, these are certainly germane additions to the list. Conyers (2001:3-5) also explains that the first efforts to deconcentrate during the 1980s, led to frustration due to the lack of real change in the allocation of resources. This frustration led the Ministry of Local government to apply pressure that brought about a later decentralization to elected local governments. Powers, however, were not transferred by line ministries until the economic crisis in 1999 forced them to relinquish obligations that they could no longer meet—enabling them to save face and blame local government for the failure to deliver.

<sup>32</sup> According to Sewell (1996:144) “There is plenty of evidence that subnational jurisdictions systematically incorporate distributional preferences into choices on spending decisions.” For example, recent studies of local officials in Albania and elected neighborhood committees in Uzbekistan (cited by the World Bank 2000:111) indicate that local officials and community groups are better than central authorities at identifying and reaching the poor. They conclude from this that local actors had better networks that help them identify needy groups. They also conclude that such targeting the poor requires funding from central government.

<sup>33</sup> Two objectives dominate the literature and discourse on developmentalist decentralization: service provision and local democratization. These objectives are compatible in that improved services are believed to result from greater local voice (through mechanisms of participation and accountability) in decision making. Local democracy is believed to improve service provision. They are also at odds since service provision is a pre-determined objective while local democratization is a process of local objective setting and implementation. There is no problem when local people desire the services that the central state deems necessary. But, when these services are not local priorities, democratic process comes into conflict with the instrumental objectives of the central state.

<sup>34</sup> Quoted in Green 1993:3.

---

<sup>35</sup> Participatory approaches to development have popped up around the world over the past decade. In U.S. law, participation in development has been expressed as a principle to guide development intervention. U.S. Public Law 95-424 of 6 October 1987 required of United States bilateral development assistance that: "Activities shall be emphasized that effectively involve the poor in development by expanding their access to the economy through services and institutions at the local level, increasing their participation in the making of decisions that affect their lives...."

<sup>36</sup> For a counterview that does not see in decentralization any necessary benefits of responsiveness or freedom, see Riker (1964:142) who says, "to one who believes in the majoritarian notion of freedom, it is impossible to interpret federalism as other than a device of minority tyranny."

<sup>37</sup> In theory, participation can increase economic and managerial efficiency by: 1) allowing the local populations who bear the costs of forest use decisions to make those decisions, rather than leaving them in the hands of outsiders or unaccountable locals (i.e. by internalizing economic, social and ecological costs); 2) reducing administrative and management transaction costs via the proximity of local participants; and 3) using local knowledge and aspirations in project design, implementation, management and evaluation. Participation can redress inequities by helping to retain and distribute benefits of local activities within the community. In this manner it could be a tool of social justice. Participation in the benefits from local resources can also contribute to development by providing local communities with revenues. (See Cohen and Uphoff 1977; Cernea 1985; Baland and Platteau 1996; Peluso 1992; World Bank 1996; National Research Council 1992:35.)

<sup>38</sup> Aid organizations and national agencies charged with managing public resources also often assume that community participation in resource management results in better environmental practices (Poffenberger 1994; Shiva 1989). While such a claim has some logical underpinnings, it is not a demonstrated fact (see Little 1994). More research is needed on this participation-environment link (see Western and Wright 1994). Uphoff and Esman (1974:xvii) point out that participation did not have a strong association with agricultural productivity. Therefore, "...participation may make a positive contribution to raising productivity, and we found no evidence of its impact being negative, but as analyzed in this study it does not appear to be a necessary or sufficient condition for agricultural improvement. The relationship between participation and welfare performance on the other hand was, not surprisingly, greater, with a correlation of .6." Their indicators of participation included: "...voting, control over bureaucratic performance, influence on rural development policy, and involvement in resource allocations in rural areas."

<sup>39</sup> The *gestion des terroirs* approach—one of the cutting edge donor-sponsored natural resource management schemes in Francophone West Africa—implicitly acknowledges the population of a *terroir* to be a community. "*Gestion des Terroirs* refers to the activities of community members as they go about using natural resources within the *terroir* for their livelihoods. By definition, they have a sense of collective claim on the *terroir*, and exercise some degree of social and politically sanctioned control over the terms of access to the resources by community members and outsiders." (Painter et al. 1994:450). Painter et al. (1994) also provide a well developed analysis of the limits of the *terroir villageois* concept, pointing out how *terroirs* are embedded in multiple relations that exceed their boundaries.

<sup>40</sup> Painter et al., (1994:455) describe the interacting factors in Sahelian communities as including: terms of access to land; the size and quality of land holdings; gender; seniority; the ownership of livestock; participation in off-farm income-generating activities; status as founding member of the community or as an outsider; the size and maturity of households; access to domestic and extra-domestic labor inputs; wealth; political power; links with the state; access to credit and materials; types of production systems; membership of chiefly or noble lineages or of caste-like categories (such as ex-captives); and the nature and effectiveness of diversification strategies." Sahelian communities are highly stratified.

<sup>41</sup> Although Conyers (2000:7) argues this is often a post hoc justification for decentralizations designed to achieve other economic ends.

<sup>42</sup> Also see Crook and Manor (1999) who frame decentralization in terms of its political, administrative and fiscal elements. The World Bank (2000) also proposed the following framework: "**First**, the decentralisation framework must link, at the margin, local financing and fiscal authority to the service provision responsibilities and functions of the local government—so that local politicians can bear the costs of their decisions and deliver on their promises; **secondly**, the local community must be informed about the costs of services and service delivery options involved and the resource envelope and its sources—so that the decisions they make are meaningful; **thirdly**, there must be a mechanism by which the community can express its preferences in a way that is binding to the politicians—so that there is a credible incentive for

---

people to participate; **fourthly**, there must be a system of accountability that relies on public and transparent information which enables the community to effectively monitor the performance of the local governments and react appropriately to the performance so that politicians and local officials have an incentive to be responsive; **and finally** the instruments of decentralisation—the legal and institutional framework, the structures of service delivery responsibilities and the intergovernmental fiscal system—are designed to support the political objectives” (emphasis in original). This framework can be boiled down to fiscal transfers, information, representation, accountability and consistency between objectives and instruments.

<sup>43</sup> Participatory forestry projects and recent forestry laws in Cameroon, Senegal, Mali, Niger and Burkina Faso have established institutional structures for local participation in forest management (Ribot 1999; Delnooz 1999; GOC 1998; ). Some of these structures integrate 'interested' parties, others village chiefs or elected rural councils to represent rural communities. Some others depend on Participatory Rural Appraisal (PRA) or Participatory Mapping.<sup>43</sup> The different ways these rural communities are represented in local natural resource management or any other form of decentralized decision making has implications for the ways in which efficiency, equity and development concerns are addressed and internalized in practice. They also have consequences for participation's sustainability and for democratization processes now underway.

<sup>44</sup> Similarly, Museveni set up the Local Councils in Uganda as “democratic organs of the people” to establish “effective, viable and representative Local Authorities” (Republic of Uganda 1987 quoted by Saito 2000:3).

<sup>45</sup> Similar in scale to U.S. counties.

46. The most-local level of administrative council goes by different names in each country. I will use the terms Rural Community and Rural Council to refer to the jurisdiction and its representative body respectively.

<sup>47</sup> In 1994, Côte d'Ivoire, Mauritania and Senegal were the only three countries in Francophone West Africa considered to have elected local governments that held both deliberative and executive powers. Elsewhere the powers were mixed with deliberative elected bodies and appointed executives (Mbassi 1995:27).

<sup>48</sup> Whether it is better to have party competition at the local level or whether it is more democratic to include independent candidates was an unresolved debate at the international conference on “local Self-Governance, People’s Participation and Development” in Kampala in 1993. This issue was identified as a topic in need of further discussion (Rothchild 1994:8).

49. Cooperatives in Senegal are usually dominated by a few powerful notables (Cruise-O'Brien 1975:128; Ribot 1993).

50. The role of political parties in local government needs to be examined in greater detail. At the end of the colonial period, the question “Should parties be introduced into local government?” was already being contested (Cowan 1958:221). Those against party involvement argued “...that the matters dealt with in local councils are essentially *local* in nature and that therefore the major parties whose differences may be on matters of national policy have no place in purely community problems” (Cowan 1958:221). Clearly, in French West Africa those against party involvement lost the debate.

<sup>51</sup> The socialist party continued to dominate the 1996 elections (Blundo and Jaubert 1998:101).

<sup>52</sup> In South Africa, traditional chiefs are fighting for powers over land tenure arrangements. These hereditary powers are not representative and their empowerment is inconsistent with the democratic principles of elected representation enshrined in the constitution. (see Ntsebeza 1999.)

<sup>53</sup> Engberg-Pedersen points out in Burkina Faso that “The two most important institutions for decision-making and implementation at the village level—the chieftainship and the working groups [village committees registered as ‘*groupement villageois*’]—are not democratic. There are no traditions for open discussion of village affairs, for criticism of decision made by leaders, for public elections of leaders, etc. Not only do leaders try to monopolize the right to take decisions, but others do not consider themselves in a position to make proposals regarding village affairs. They do not even seem to have opinions on these matters, because as some argued in [the village of ] Nahirindon, it would be offensive towards village leaders if they had.”

<sup>54</sup> Which Conyers (1990:25) points out are “...closely associated with the ‘Reaganite’ and ‘Thatcherite’ policies which have permeated both development and less developed countries in the last few years...”

<sup>55</sup> These are bodies registered with the state under the title ‘Economic Interest Group’ or ‘Common

---

Initiative Groups’.

<sup>56</sup> Baviskar (nd.:20) asks a local official why the decentralized watershed project “...creates an entirely new structure in the form of the watershed Committee rather than using the already existing elected government of the village, the panchayat.” The co-director of the project explained: “The panchayat is not participatory; the sarpanch (elected head) becomes a contractor. The panchayat is a delivery system. The watershed involves everybody. The panchayat is too political. The watershed committee should not be run by someone who is popular.” Baviskar sees this as representing a perception of the need to keep development and politics separate (cf. Ferguson 1994). But, it also reflects the ever-present tension between technocratic and democratic objectives of the state (Shivaramakrishnan 2001).

<sup>57</sup> Baviskar’s (n.d. 21) describes a case in India in which the committee’s procedures were dictated by the project and in practice the committee and other participatory processes were created as a charade to create a “record of ‘participation’,” rather than to induce greater inclusion or representation in decisions.

<sup>58</sup> For example, Mali’s Local Government representative on a quota committee set up to allocate access to commercial forestry resources is only one among four members and is not guaranteed a controlling role. The “...mode of allocating the quota...” in this committee is left to the order of the Regional Governor (a central government appointee) (RDM 1994:art.6,11). The system is very similar in Burkina Faso.

<sup>59</sup> Balogun (2000:155) argues: “While private sector participation in development is now accepted as a reality and a desirable option, privatization raises questions that are radically different from those of decentralization. For one thing, privatization targets allocation efficiency and does not share decentralization’s concern for equity through the redistribution of power. For another, the former focuses on the contribution of a narrow circle of economic actors (investors, entrepreneurs, and individuals with access to capital or information), whereas the primary objective of decentralization is the dispersal of economic and political power in such a way that the mass of the people have a sense of participating in decisions affecting their life and well-being. Thirdly, once the state surrenders the ownership and management of an enterprise, it (the enterprise) ceases to be part of the ‘public business’ for which government ministers are individually or collectively responsible. In any case, by no stretch of the imagination can privatization be equated with mass participation in development, or regarded as a major landmark in political decentralization.”

<sup>60</sup> Meinzen-Dick and Knox (1999:4) point out that private sector can include user groups, but in their definition, the limit them to “...individuals or firms, who are accountable to their shareholders, and NGOs, who are accountable to their donors.”

<sup>61</sup> “Orchestrated participation” such as RRA, PRA, participatory mapping, stakeholder approaches, etc. include techniques to mobilize populations that may increase participation, but are not institutionalized or permanent forms. They are only briefly discussed in this proposal since they do not represent changes in institutional arrangements, although they may become tools or practices for new institutions and authorities to use. The common over-emphasis on rapid survey methods such as PRA for action research in lieu of long-term ethnographic research, however, can lead projects to ignore complex historical processes which are critical in understanding local relationships (Brown 1999:45).

<sup>62</sup> There are also, of course an number of principal-agent relations that can emerge in decentralizations creating a mix of private and state actors and a set of indirect accountability relations through delegation, subcontracting, etc. These too should be considered when examining the questions of how local decentralized actors are accountable and the kinds of accountability relations they set up in carrying out their tasks. Indeed, there is scope for such arrangement in some decentralization statues such as in Uganda, Mali, Senegal, and Malawi.

<sup>63</sup> The idea that political-administrative jurisdictions do not always match the geographic shape of the issue at hand comes up often in environmental management. These districts rarely match ecologically logical units such as watersheds or forests. Baviskar (nd.:13) brilliantly points out how an integrated watershed management and development project chose administratively convenient units over the ecological units the program claimed to be managing; selected beneficiaries and villages most likely to collaborate with the state, concentrated on most fertile and moist lowlands at the expense of the upland areas most in need as a “shortcut to ‘success’” or a way of showing quick and dramatic results; avoided areas with contentious land access conflicts—“rather than risk getting in the thickets of disputed tenure, officials in charge of the watershed mission prefer the easier option of working in the valleys.”

<sup>64</sup> Føllesdal (1998:190) specifies that “The ‘principle of subsidiarity’ regulates authority within a political order, directing that powers or tasks should rest with the lower-level sub-units of that order unless

---

allocating them to a higher-level central unit would ensure higher comparative efficiency or effectiveness in achieving them.”

<sup>65</sup> Fiszbein (1997:4) argues quite convincingly that scale can be less of a scale problem than is usually believed. Research she conducted in Colombia on labor capacity (quality of staff), capital (equipment, buildings) and technology (internal organization and management style) “...does not support the view that scale is an intrinsic barrier along these three dimensions.”

<sup>66</sup> See Echeverri-Gent (1992) for a study of competitive local elections in West Bengal, India that helped make policy more responsive to the poor. For a similar argument from Colombia about the importance of competitive elections at the local level, see Fiszbein (1997a). (cf. Hesselting 1996; Mehta 1996.)

An important aspect of electoral systems is the ability of the electorate to reject incumbents. In Bangladesh, local council leaders dominated local decision making and used to position for self-promotion, but in elections 90 percent of them were not re-elected (Parker 1995:26). The implication is that in open elections local politicians are more likely to try to meet felt local needs. On this count, Crook and Manor (1994—in Parker 1995:26) found that locally controlled resources were re-directed towards more micro-level public works.

Citing Crook and Manor, Parker (1995:27) points out that locally elected representatives can also make central government more responsive to local needs:

In Karnataka, decentralization brought more elected representatives into the process of RD [Rural Development]. The quantity and quality of work undertaken by line agencies was closely monitored and problems reported early, and it became harder for bureaucrats to get away with corrupt acts. The result was enhanced institutional effectiveness and improved coordination among civil servants working for different line agencies.

<sup>67</sup> In Uganda with the local council system “...universal adult suffrage has increased the people’s sense of involvement in policy-making process” (Saito 2000:4).

<sup>68</sup> See Therkildsen (2001:8) for an excellent discussion of the unrealistic assumptions about and limits to accountability.

<sup>69</sup> For other excellent discussions of state-society relations and taxation, see Beck (2001) and Guyer (1992).

<sup>70</sup> Since 1917 there have been at least four waves of decentralization in Francophone West Africa—see History section of this paper. Each ‘decentralization’ has created geographically smaller units of governance, appointed *administrators to manage* these units, created *councils to advise* these administrators, devolved responsibilities to these new governance structures and centralized approval of all decisions in a hierarchy now stretching from the sous-préfet of the Arrondissement (also overseeing the Rural Community and villages), through the préfet of the Department and governor of the Region, to the Minister of the Interior and president at the Federal level. Before independence this hierarchy stretched up through the Lieutenant-Governor of each colony, the Governor-General of French West Africa, and the Minister of Colonies, to the President of the French Republic. These administrators are all executive appointees of the central Government.

<sup>71</sup> “...What the African experience tends to suggest is that the political and economic environment within which local authorities operate renders them ineffectual as instruments of good governance and development” (Oyugi 2000:17).

<sup>72</sup> In 1992 decentralization was written into the new constitution (Ahwoi 2000:2).

<sup>73</sup> For example, across the continent usufructuary rights in forestry cannot be allocated or taken away by the forest service except under well specified circumstances—the formation of a reserve or the temporary protection of a particularly degraded zone. Commercial permits, however, are allocated by the forest service. Senegal’s forest services often allocates permits along social and political lines, abusing their power, but they cannot—legally—do the same for usufructuary rights (Ribot 1993).

<sup>74</sup> Areas rich in natural resources have opportunities to resolve this problem through resource taxation or usage fees. Areas poor in natural resources require other sources of income to manage successfully. In this manner, fiscal policy can have a profound effect on natural resource management and natural resources can support the fiscal health and effectiveness of local government.

<sup>75</sup> Conservation and other management and production objectives have often been coerced at the local level in Africa—natural resource management examples can be found in Tanganyika, Kenya, Mali (Therkildsen 1993:81; Peluso 1993; Mamdani 1996). As Mamdani (1996) points out, for governments to promote production, coercion is necessary when there are no markets.

<sup>76</sup> Alexis de Tocqueville from Therkildsen 1993:78.

---

<sup>77</sup>I have changed the names.

<sup>78</sup> “An additional danger [in Cameroon] is that once a community has invested in the inventory, and timber resources of high value confirmed, unscrupulous government officials might be tempted to find evidence of an *infraction* (breach of the rules) on the part of the community in question, allowing a logging company to step in and exploit the area as a conventional *vente de coup* [small-scale commercial license], benefiting from the inventory work already done at no extra cost to itself” (Brown 1999:47).

<sup>79</sup> Many donor agencies and governments engage NGOs before establishing local governments as an alternative to local government representation. This practice could be detrimental to establishing empowered local government because it may take away public powers that would otherwise be within the local government’s domain. Similarly, when administrative bodies serve and act as representatives of local people this can undermine the legitimacy of local representatives by competing with or taking away their role. This set of issues requires more reflection. Some might argue that such competition is what increases efficiency, but that is not clear (cf. Tandler 2000; Onyach-Olaa and Porter 1999).

<sup>80</sup> Based on interviews I conducted in Guinea in 1999.

<sup>81</sup> On opposition to decentralization in natural resource management, see Severino in Utting 1999.

<sup>82</sup> Many authors have shown such specious scientific reasoning in Environmentalism (Guha 1990; Beinart and Coates 1995; Roe 1996; Fairhead and Leach 1996; Keeley and Scoones 1999; Ribot 2000).

<sup>83</sup> As Sewell (1996:148) notes, funding problems for local governments in decentralizations “...may pose difficulties for international financial institutions, but they should not be thought of as ‘Dangers of Decentralization’,” as Prud’homme has call them.

<sup>84</sup> See Evans 1997; Tandler 1997 who question the basis of this lack of confidence.

<sup>85</sup> Images of the ‘bad’ state and the ‘good’ society in what Tandler calls ‘mainstream development thinking’, has deeply influenced the ways development practitioners give advice, orienting them toward policies that limit public sector ‘damages’ by limiting government (Tandler 1997:1-2). In the last decade the left and the right’s attacks on the state have converged with the growth of a populist movement that sees everything local and indigenous as good and everything of the state as bad (Western, Wright and Strum 1994; Shiva 1989; Singh and Titi 1995; Escobar 1995; Scott 1976). This negative view of the state seems to have erased the state, as powers were believed to be devolving downward toward NGOs and ‘the people’ and upward toward the Global arena (Rosenau 1993). Further, channeling of international aid only through central governments or NGOs (as the alternative, anti-governmental route) has also conspired to blot out local government from the picture (Romeo 1996:4).

<sup>86</sup> Based on interviews I conducted in Guinea in late 1998.

<sup>87</sup> It should be noted that many of the powers to be devolved, however, have not been in the hands of chiefs or other local traditional authorities since the beginning of the colonial period. Hence, devolution of these powers to local government does not constitute a direct taking from customary authorities. This is particularly the case for commercial forest resources such as woodfuels and timber (Ribot 1999a).

<sup>88</sup> CARE-Mali (1993) is a good example of the privileging of customary authorities. Porter and Young (1998:523-4) also cite an example of the privileging of chiefs in natural resource management in Ghana, but they comment “While Chiefs clearly must not be ignored in environmental management, their representation as uncontentious ‘custodians’ of natural resources seems unwise. In addition to the difficulties commonly associated with stool disputes (which occur not infrequently) there is ample evidence to indicate the extent of chieftaincy interests in—and wrangles over—natural resources such as salt in the coastal zone over this century and the dangers of undue dependence on chiefs representing the diverse interests of their subject populations.”

<sup>89</sup> The members of a 1998 conference on “Decentralization, Local-Level Politics and Social Networks,” held in Cotonou, however, rejected the classic dichotomy between wholly top-down and bottom-up decentralizations (Blundo and Mongbo 1998:1-2; cf. Conyers 1984). While most appear to be initiated from the top, they all involve complex dialogues among multiple actors. Many non-state actors appropriate decentralization, presenting it as if it were an old and known African political form of organization. Far from being politically neutral, the administrative processes of decentralization are re-appropriated by various actors in what is effectively a redistribution of powers between central states and local societies. Decentralizations attempt to create new local rules and institutions, but never find a blank local institutional slate. (Blundo and Mongbo 1998:2.)

---

<sup>90</sup> Notable exceptions are Crook and Sverrisson 2001; Therkildsen 2001; Agrawal and Ribot 1999; Ribot 1999.

<sup>91</sup> Talented young African social scientists are being enticed to leave research for consulting, NGOs and donor organizations (SSRC 1999). They are attracted by higher salaries to produce quick-turnover analyses and reports or into project management. Many young researchers I interviewed during the reconnaissance trips for the WRI Decentralization, Accountability and Environment program were seeking opportunities to remain in research. Indeed, they saw the WRI program as a chance to invest in their personal intellectual capital. They regretted, however, that there are almost no opportunities to proceed along a research path. The demand for training is clear, they are writing, submitting manuscripts, applying for grants and for scholarships (Jane Guyer, Personal Communication, January 2000). The opportunities, however, are few. This set of problems has left many countries with an older generation of researchers lacking a younger generation to follow (Mkandawire 1995).

92. Chiefs were given a meager salary and expected to collect taxes, recruit *corvée* labor and soldiers, etc. Chiefs often were in conflict therefore with both their *Commandant de Cercle* and their own people. (van Rouveroy van Nieuwaal 1987). For an example from French Sudan, see the case of Mademba Sy (Roberts 1991).

93. Governor General J. Brévié proposed such a policy for the whole West African colony in 1932 (Cowan 1958:44).

94. Proposed canton chiefs then had to be approved and appointed by the administration. *Arrêté* of 28 December 1936. (Cowan 1958:177.)

95. It would be worth digging through the colonial record to find the story behind this short reign of universal suffrage and limited terms at the village level.

96. In the late colonial period 29 of 30 heads of village households elected a chief who was "...not of aristocratic origins, nor was he even from that region..." and he was not the customary inheritor of the chieftainship. Unfortunately, the administrator objected on the grounds that it would be "...a blow to indigenous authority..." (Cowan 1958:178).

97. In South Africa, the Governor of the Colony could appoint and remove chiefs and these chiefs were minor deputies to the Governor since 1891 (McIntosh 1990:28-9).

98. Indeed, as van Rouveroy van Nieuwaal (1987:23) states: "When we speak of chiefs in Africa in the present context we are not speaking about an extinct or even a dying species. We are speaking at most about a threatened one, threatened by the intervention of the legislator and the administration, who are all too often of the opinion that through legal reforms, institutions such as that of chieftaincy, still firmly entrenched in African society, can be blotted out or robbed of their legitimacy."

99. The term of the chief is not specified, but presumably the position turns over with the council.

100. The Nigerian state has viewed these institutions as means of managing the rural world. They are highly defined and structured by the state making them "...tools with which to achieve the political management of society." (Quote of a decentralization study in Elbow 1996:34.)

101. Hirschman (1970) observed that the negotiating position of subordinate classes, was strengthened by their 'exit options' (cf. Scott 1976). Bayart (1993:22) notes that because of this:

The dependents were not without a voice within either lineage or central societies. They were (more or less) represented in a range of councils, associations and societies in which they often had important functions. One author estimates that over a third of the monarchies and the chiefdoms he investigated included councils of commoners who were involved in political decision-making and that more than three-quarters of the chiefdoms, and the quasi-totality of the monarchies, had created lay courts of justice. These figures provide some indication of the limitations which the subordinate actors were able to impose upon the leaders.

He then gives the example of how village chiefs imposed by the powerful Yatenga monarchy were not forced upon the population. Chiefs named by the king, but unwanted or unliked, may be met by silent resistance and obfuscation until "...a new assignment will be found for the unfortunate chief" (Bayart 1993:23).

102. The notion that indigenous African chiefs were despots was used during the early colonial period to justify subjugating them to European standards of conduct. For example: "When the French undertook the occupation of West Africa they were confronted with a number of native tyrants who cruelly exploited their subjects. Life and property were insecure; slavery and human sacrifice prevailed in many areas. In a few

---

cases, local Almanys had imposed a form of discipline, maintained by terrorism, upon thousands of unwilling subjects." (Buell 1928:987.) Much of this view was probably European projections that served to justify the 'civilizing' mission of colonization. It was clear, however, that under the French, indigenous chiefs were despotic when they could hide behind their French backing. This latter problem helped justify the curtailing of chief's powers over "...judicial matters, land and tribute" and more direct control by the French administration (Buell 1928:987). But these criticisms of chiefs by no means constitute a comparison with or excuse for French colonial administrative practices, which were certainly also despotic, cruel and violent, and fostered despotism among chiefs (Buell 1928; Suret-Canal 1966).

<sup>103</sup> "The Zimbabwe ombudsman handles on average 100 complaints a month, while the Tanzanian handled 200 cases per month during its first 20 years of existence" (Therkildsen 2001:29).

<sup>104</sup> According to Therkildsen (2001:27), "Transparency, translated into clear and explicit managerial targets combined with increased managerial autonomy and incentives to perform, makes it easier to establish the basis for managerial accountability and to achieve outputs (without which the notion of accountability becomes irrelevant...). This, in turn, increases political accountability in two ways. By making targets explicit, it is easier for managers—in dialogue with politicians—to match them with political priorities. And by monitoring the extent to which targets are met, politicians can, in turn, hold managers accountable for their performance or lack of it."

<sup>105</sup> This observation may challenge Moore's (1997) claims, discussed below.