The interface between central and local interests in Malawi's democratic decentralisation: The case of Salima District Council

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Declaration for PhD thesis

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Abstract

Malawi is pursuing democratic decentralisation with duo objectives to enhance democracy at the local level and to promote poverty reduction. These reforms are largely driven by bilateral and multilateral development agencies as part of the good governance agenda, which is polluted with varying interests. This thesis argues that while in principle democratic decentralisation is desirable the pre-requisites for making it work are absent in Malawi. To a certain extent this is due to the nature of the Malawi state, which conforms to the logic of the African neopatrimonial state with unique characteristics such as personalisation and concentration of power in the dominant patron, dominance of vertical over horizontal ties, and weak separation of public and private spheres. Democratic decentralisation threatens ruling elites by promising to create spaces at the local level where the opposition can thrive. As a result reforms are characterised by centralisation as the ruling elites try to protect power and access to state resources. These characteristics can be traced back to the colonial regime and the one party state both of which were heavily centralised. At the local level chiefs, and members of parliament with ruling party connections have captured reforms and are influential in the allocation of resources. In exchange for privileges and status these actors are increasingly being co-opted by the centre to extend its control of the local arena. The result is the superficial implementation of reforms, which may further entrench neopatrimonial characteristics of the state. In the absence of strong downward accountability development agencies can play a key role to push government towards reforms. Yet local and central interests make this an uphill task. This explains the partial implementation of reforms in Malawi.

Key Words: *Decentralisation, Neopatrimonial State, Centralisation, Local Capture, Malawi, Good governance*

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Acronyms/ Abbreviations

ADC	Area Development Committee
ADMARC	Agricultural Development and Marketing Corporation
AEC	Area Executive Committee
AFDB	African Development Bank
AFORD	Alliance for Democracy
AIP	Annual Investment Plan
CABS	Common Approach to Budget Support
CBO/CBOs	Community Based Organisation(s)
CDA	Community Development Assistant
CDF	Constituency Development Fund
COMESA	Common Market for East and Southern Africa
DC	District Commissioner
DCE	District Chief Executive
DCF	District Consultative Forum
DDA	District Development Analysis
DDC	District Development Committee
DDP	District Development Plan
DDPF	District Development Planning Framework
DDPS	District Development Planning System
DEC	District Executive Committee
DFID	United Kingdom's Department for International Development
DPP	Democratic Progressive Party
FGD	Focus Group Discussions
GDP	Gross Domestic Product
GoM/GOM	Government of Malawi
GRF	General Resource Fund
GTZ/GIZ	German Development Agency
GVH	Group Village Headman
IMF	International Monetary Fund
IMTCD	Inter Ministerial Technical Committee on Decentralisation
INGO	International Non Governmental Organisation
KfW	German Development Bank

LASCOM	Local Assemblies Service Commission
LDF	Local Development Fund
LGA	Local Government Act
LGR	Locally Generated Revenue
MCP	Malawi Congress Party
MGDS	Malawi Growth and Development Strategy
MoF	Ministry of Finance
MOLGRD/ MLGRD	Ministry of Local Government and Rural Development
MP	Member of Parliament
MPP	Maravi Peoples Party
NDP	National Decentralisation Programme
NGO	Non Governmental Organisation
NLGFC	National Local Government Finance Committee
NORAD	Norwegian Agency for Development Cooperation
NTAC	National Technical Advisory Committee
OECD	Organisation of Economic Cooperation and Development
ORT	Other Recurrent Transactions
PP	Peoples Party
SC	Steering Committee
SEP	Socio Economic Profile
SOAS	School of Oriental and African Studies
TA(s)	Traditional Authority/ Authorities
UDF	United Democratic Front
UK	United Kingdom
UN	United Nations
UNCDF	United Nations Capital Development Fund
UNDP	United Nations Development Programme
USA	United States of America
USAID	United States Agency for International Development
VAP	Village Action Plan
VDC	Village Development Committee
VPF	Village Planning Framework
VRC	Village Rights Committees

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Chapter One

1. Introductory chapter

1.1 Renewed excitement with decentralisation

Decentralisation has re-emerged since the early 1990s as one of the key government reforms in Africa and other parts of the world in the face of pessimism with the failures of the centralised state. One World Bank study has stated that no country in Africa today 'propounds preference for centralised state' (Ndegwa and Levy 2003). By mid 1990s 63 out of 75 developing countries with populations of over 5 million were attempting some form of decentralisation (Cheema and Rondinelli 2007: 8). According to Ndegwa and Levy (2003: 3) whether arising from dramatic political reforms, donor pressure or as part administrative change the recent decentralisation efforts are one of the 'significant facets of state restructuring in Africa since independence'. Despite the shortfalls of previous decentralisation reforms, this new wave is viewed with optimism particularly from donors who are one of the most influential players driving this agenda. However, as Smoke (2003) has argued there is still a lot we do not know about decentralisation. Many questions still remain. Who is really driving these reforms, and why? How different are these reforms from previous ones? What conditions are in place to support or hinder reforms in the African state, and what are the prospects for these reforms to succeed? These and many other questions have not been successfully addressed in some of the evidence that is available. More studies are required to critically examine whether and how promises of decentralisation are being realised in countries that are pursuing reforms.

Decentralisation, which in simple terms refers to the transfer of power and resources from higher to lower levels of government, remains a more complex phenomenon. It

has several dimensions and those supporting it often have varying interests for doing so. In many cases the interest in decentralisation is based on its potential benefits rather than the empirical evidence. As Smoke (2003) has put it, there is also a tendency to 'compartimentalise' decentralisation when looking at the benefits. Economists focus on rational-choice argument that stress the role of decentralisation in bringing efficiency in delivery of services; political scientists and other development practitioners emphasize intergovernmental relations, local elections and accountability mechanisms while public administration experts work on institutional structures, processes and procedures (Smoke 2003: 8). As chapter two will show, it is often the case that reforms will be driven by multiple factors.

The dominant form of decentralisation as pursued by donors and national governments is devolution, roughly defined as the transfer of powers and resources to local governments that elect their own representatives. These local governments are expected to make investment decisions at the local level. Devolution has become part of the good governance agenda that is being driven by both multilateral and bilateral aid agencies since the early 1990s. Those supporting decentralisation as part of the concept of governance point to its ability to 'accelerate economic development, increase political accountability, enhance public participation in governance and address bottlenecks in hierarchical bureaucracies, and provide opportunities for more resourced local governments to respond to local needs and demands' (Cheema and Rondinelli 2007: 7). Other supporters such as Olowu (1990) have also argued that it has more prospects due to its democratic elements, which make local actors more accountable to local citizens.

The growing interest in decentralisation in Africa alongside other good governance reforms since the early 1990s is not coincidental. Decentralisation is viewed as a key

component of the package of democratic and government reforms aimed at improving efficiency and local governance in African states. This link between decentralisation and democracy might explain the growing preference for devolution, which is seen as more pure and effective. Devolution is built around principles of downward accountability of locally elected representatives, and significant transfer of powers and resources from central governments to local authorities that determine how best to address local needs. Efficiency is as a result of this responsive democratic local government.

Although supporters of decentralisation (devolution) point to many potential benefits it is yet to be seen whether decentralisation will be a panacea for all the failures of heavily centralised states. Many countries implementing decentralisation are experiencing challenges and this is often blamed on poorly implemented reforms—a simple technical problem that can easily be fixed. Yet, the most daunting challenges facing reforms seem to be political (Smoke 2003). Reforms are threatening the interests of the ruling elites at the centre. Therefore, rather than transferring more powers, reforms are resulting in further centralisation with ruling elites co-opting some actors at the local level. This is not surprising given that decentralisation is a political process, and those who engage in it often have to make political decisions about pursuing reforms. Since in most cases it is central governments that decide how reforms will be crafted, one has to examine the incentives at central level in order to appreciate how reforms work out at local level. So the question is what would be in the interest of central governments in Africa and elsewhere to transfer powers and resources to the lower levels?

Donors are playing a key role in the pursuit of reforms in many countries in Africa. This is sometimes done in an almost blind frenzy that ignores the historical context of

the state in Africa, with the dominance of neopatrimonial logic in some countries. Several characteristics of the African neopatrimonial state such as personalistic rule and concentration of power, weak separation of public and private spheres, dominance of vertical over horizontal ties and strong patronage and clientelist networks make it difficult for reforms to be pursued to the fullest. When more centralisation happens and local elites with strong central ties capture reforms, external actors are surprised. Research, such as this thesis must analyse how these existing characteristics condition the way reforms are designed and implemented, who receives powers, what powers and resources are transferred, and what the interests are for those at the centre and local level.

1.2   Malawi, a country at crossroads with reforms

Malawi is one of the countries in sub Saharan Africa where democratic reforms in the 1990s were accompanied by the transfer of powers and resources to lower levels of government. In 1993 Malawians voted overwhelmingly to end the run of the one party state. In 1994 a new republican constitution was written, and democratic decentralisation became one of the fundamental pillars of the new multi-party government system in Malawi. In 1998, a decentralisation policy and Local Government Act were finalised and these outline comprehensive package of reforms to support implementation of decentralisation. In Malawi, decentralisation has been strongly linked with democracy and development. It is being pursued based on its potential benefits to enhance local governance and promote development. Decentralisation in Malawi has been supported by both multilateral and bilateral aid agencies. On paper, these reforms conform to devolution as the preferred form of decentralisation. This thesis seeks to investigate whether these decentralisation

reforms are creating institutional arrangements that really transfer powers and resources to downwardly accountable local actors who can deliver locally appropriate policies. It will also shed more light on the extent to which local development policies and decisions on resources are likely to respond to local needs.

Scholars such as Chinsinga (2007) have written extensively about the politics of decentralisation during the early years between 1994 and 2004. Muluzi's United Democratic Front (UDF) was the governing party during these years. Chinsinga (2007) and others have argued that reforms were characterised by centralisation as well as conflicts amongst local elites- councillors, chiefs, local bureaucrats and Members of Parliament. This thesis explores the roll out of reforms during the reign of wa Mutharika as President, and the Democratic Progressive Party (DPP), as the governing party. The thesis focuses on this period due to dearth of academic literature on how wa Mutharika approached decentralisation, and the politics and form of local government at district level. This is also the period when there was significant injection of resources through the Local Development Fund to support district councils. The wa Mutharika era is also worth studying in order to examine the form of local government given the absence of councillors.

The thesis argues that between 2004 and 2012 public policies in Malawi including decentralisation seem to be heavily influenced by neopatrimonialism. Generally, the Malawi state shows certain troubling characteristics that include, 'chameleon politics and political opportunism', weak political parties and leadership dominance, and existence of 'parallel rule' (with chiefs being connected to the president). These and many other challenges are a major stumbling block to pursuit of democratic decentralisation. So far the prevailing norm in Malawi has been the capture and monopolization of policies and public resources by the ruling parties to establish and

entrench their rule at all levels. As a result the so called comprehensive democratic decentralisation reforms pursued since 1994 have been characterised by centralisation particularly as the ruling elites try to maintain monopoly over power and access to state resources. Two former presidents, Bakili Muluzi (President, 1994-2004), and the late Bingu wa Mutharika (President, 2004-2012), took steps to consolidate central authority at the local level, with the later taking significant steps to amend Local Government Act with the aim of centralising rather than decentralising authority and resources. As this thesis will argue, both presidents (Muluzi and wa Mutharika) fit the characterisation of 'big men', and their neopatrimonial practices and interests have influenced the implementation of public policy, such as decentralisation in Malawi.

The thesis argues that while decentralisation may have many potential benefits (including the those outlined in the Local Government Act and decentralisation policy in Malawi), the necessary conditions to make reforms work are absent in Malawi. So far the ruling elites with their 'big man' are reluctant to open up spaces at the local level where opposition can thrive. This 'big man' syndrome will be discussed in more details in chapter two of this thesis. Suffice to say that with the rise of a first woman president in Malawi, Joyce Banda, in April 2012, the concept of 'big man' may not be adequate. Hence, this thesis uses both 'big man' and 'big woman' to describe these powerful individuals who run political parties and country, and are embedded in patronage networks with other political elites and their supporters. Malawi is a typical neopatrimonial state where 'big men/women' reward their followers in exchange for support. This has been clearly demonstrated in this thesis whereby local actors such as chiefs and members of parliament with connections to the centre are calling the shots in the decisions made at local level and this cuts across the different regimes that have been in power since independence.

Although this thesis covers the status of reforms mainly under the presidency of Bingu wa Mutharika (2004-2012) it has also taken into consideration the significant developments that occurred in Malawi following the death of President Bingu wa Mutharika on 5th April 2012. While these events demonstrated the fluidity of the political situation in Malawi and hence the challenges in carrying out studies such as this one, the rise to power of Joyce Banda in April 2012 also provided a small window of opportunity to compare her path to reforms to that of her predecessor. So far the new president has shown some commitment towards holding local government elections, and her pursuit of some reforms has made her a 'darling' of development agencies in Malawi. These issues are described in brief in the conclusion. Still, with one eye on 2014 it is yet to be seen in terms of the extent to which the new president will pursue reforms and how different she will be from the 'big men' that have centralised power in Malawi in the past.

1.3   Rationale and contribution of research

The rationale for this study emanates from the researcher's interest to examine whether and how current reforms are different from previous ones, which were attempted under the one party state. Therefore the study has a practical purpose to inform the implementation of reforms in Malawi.

The study is also relevant from an academic perspective and it will contribute to three strands of literature. The first relates to theoretical and empirical debates about decentralisation and more particularly about prospects for pure form of devolution or democratic decentralisation in Africa. Devolution is being advanced by theorists and development practitioners but with limited evidence about where it has worked. Second, it will contribute to the new literature that links decentralisation and

governance in developing countries. Third, the research will also contribute to literature about the nature of African neopatrimonial state and its influence on how reforms are rolled out at various levels. Therefore, this research will provide one more detailed study that may generate theories about the prospects for the new wave of decentralisation in Africa.

1.4   Research Questions

The purpose of this case study was to investigate whether the new form of decentralisation in Malawi is creating institutional arrangements that transfer powers and resources to downwardly accountable local actors who can deliver policies that reflect local preferences. To shed more light on this purpose the research focused on the following key questions and sub questions:

1.4.1   Key questions

1. How are social relationships of superiority and subordination created, expanded and perpetuated amongst central and local actors?
2. To what extent do interests of various actors at local and central level influence development planning and implementation within the new local governments?

1.4.2   Sub questions

a.) What are the incentives for central elites, donors, NGOs, and local actors to pursue or capture reforms?
b.) Which local actors are receiving or capturing powers, and why?
c.) What is the source of authority, status and privilege for actors receiving powers?

d.) Whose interests (national or local) are served by choice of actors receiving power?

e.) In which accountability relations are the actors receiving powers embedded in?

f.) How and by whom are decisions made about development priorities and resource allocations at local level?

The sub questions guided the process of carrying out the research. These questions were used in the development of various research tools such as guides for in-depth interviews and focus group discussions. They were also used to draw up themes for analysing documents. Finally, the sub questions also assisted in the process of analysing data and writing up the findings and interpretation chapters.

1.5   Research Approach

The researcher conducted a detailed case study examination of Salima District Council with the purpose of investigating the implementation of reforms. The study involved a detailed examination of one local council within a framework of a larger qualitative study that examined the role of various national and international actors in the implementation of reforms in Malawi. Participants in the study included local and national politicians, local and central bureaucrats, donor agencies, chiefs, Non Governmental Organisations (NGO) officials, and women and men at village level. Chapter four provides more details on the methodology used in this study.

1.5.1   Preliminary Arguments

Based on the literature review one main preliminary argument was made by the researcher regarding this study as follows: 'Although Malawi as a country has

adopted democratic decentralisation lack of alternative economic and political power means that some of the key local actors receiving powers remain primary beneficiaries of the state through emoluments, privileges, status and access to resources at local level'. This has left local actors at the mercy of serving interests from the centre. Yet on the other hand these local actors are superior[1] within the rural societies that they are part of.

There are two preliminary arguments related to the main one. First as a result of centralisation of reforms and the self-interests of the local actors receiving powers, reforms in Malawi are characterised by limited influence of local communities on the institutions and priorities of local government. Second, civil society organisations at local level are weak and too divided to influence any downward accountability and voice of rural communities in key decision making at local level.

Throughout the study the researcher continuously questioned the validity of these preliminary arguments.

1.5.2   The Researcher

At the time of conducting this study the researcher was one of the recipients of the Mo Ibrahim Foundation Scholarship for PhD studies in Governance and Development. The researcher has worked in local and international Non Governmental Organizations in Malawi where he has been involved in managing community projects in health and food security. Thus, the researcher has extensive

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[1] Superior is used to define the relationship between the local actors and the citizens within the jurisdiction of the local government. 'Superior' in this thesis means being above the rural societies, and therefore less accountable downwardly. 'Superior' also means operating as 'small big men/women' at local level.

working knowledge of district level politics and administration. The researcher has also worked for the New Partnership for Africa's Development (NEPAD), a Programme of the African Union, where he was involved in the management of programmes to uplift the lives of women in Africa. During this period the researcher gained important insights into the workings of governments and donor influences in Africa. Lastly the researcher has also worked for the UK's Department for Africa's Development (DFID) where he was a Governance Advisor. In this position the researcher gained significant knowledge of the key governance issues in Malawi, and donor approaches on issues such as decentralisation.

The researcher acknowledges that the same experiences gained in the various positions that are so valuable in providing insights in this study could also serve as a liability particularly if they lead to biases regarding research design and interpretation of findings. To minimise such biases the researcher explicitly acknowledges the influence of these factors. Throughout the study the researcher has ensured full commitment to critical self-reflection as a way to challenge any prevailing biases. Various safeguards were also put in place such as triangulation of data sources and triangulation of methods.

1.6   Definitions of Key terminology used in this study

This section provides definitions of the key terminology used in this study.

Decentralisation- An act in which the central government transfers some powers and resources to actors and institutions at the lower level within a political administrative hierarchy of the government.

Democratic Decentralisation/ Devolution- An act in which the central government transfers some powers and resources to local/ district governments that are downwardly accountable to the citizens within their geographical jurisdiction. These local governments elect their own councillors through elections, and these representatives exercise oversight on local bureaucrats.

Responsiveness- A situation whereby local policies reflect local preferences, and the activities of local government are valued by the public within the geographical jurisdiction.

Incentives- Reasons why certain individuals or groups support or hinder or capture implementation of reforms. These are real or perceived interests that actors stand to gain or lose as a result of the reforms being rolled out.

Downward accountability- The ability of citizens living within the geographical jurisdiction of a local government to sanction leaders through elections. This also includes the responsibility of elected or appointed leaders to act in the interest of local citizens, and not to be limited to a particular group such as their own political party.

Development Planning- The process through which local governments articulate district development plans which are based on local preferences and priorities. As a process this provides opportunities for interface between technocrats, politicians, and citizens.

1.7   Outline of chapters

This thesis has seven chapters. Chapter one is the introduction to the study and presents the overall research purpose, research approach, research questions, and contributions of the study.

Chapter two reviews the critical literature on decentralisation. This chapter reviews three strands of literature on neopatrimonial state, rise of good governance, and decentralisation. This chapter also analyses the relationship between decentralisation, good governance and neopatrimonialism.

Chapter three has two parts. The first part analyses the neopatrimonial characteristics of the Malawi state and focuses on the rule of the three men (Kamuzu Banda, Muluzi and wa Mutharika) between 1960s and 2012. The second part focuses on the background to decentralisation in Malawi and explores the evolution of reforms beginning from colonial period to the present. This chapter also explains in detail the type of reforms that are being implemented under the banner of democratic decentralisation.

Chapter four discusses the methodology used in this study. It explains the research design and the data collection methods used. This study used a qualitative single case study design that was complemented by national level data collection through in depth interviews. Finally this chapter also provides a description of Salima district that was selected as a case worth studying.

Chapters five and six present the findings and interpretation to the findings. Chapter five focuses on the findings from the case study at district level. Chapter six provides an interpretation to the findings and focuses on a larger picture by examining the

relationship between what is going on at district level to the interests and actions at national level. Chapter six shows that the reforms at district level cannot be separated from the action or non-action at central level.

Finally chapter seven is the conclusion to the study. This chapter focuses on two main areas: firstly it offers a critical examination of the current structure of local government in Malawi; and secondly it examines the key interests in the pursuit of reforms in Malawi and provides some reflections on the prospects for devolution (democratic decentralisation) in Malawi. It also briefly examines how wa Mutharika's successor, Joyce Banda has approached decentralisation reforms.

Chapter Two

2. The African Neopatrimonial State, Good Governance Agenda, and Decentralisation: Literature review

2.0   Introduction

This chapter provides critical review of literature on three strands: (i) neopatrimonialism and the African state, (ii) the rise of the good governance agenda, (iii) and the emergence of new decentralisation reforms in the 1990s. The review also examines the connections between these strands of literature.

Decentralisation re-emerged in the late 1980s and early 1990s as part of the good governance agenda, which is largely driven by donors, both multilateral and bilateral. Numerous countries in Sub Saharan Africa have adopted decentralisation as part of institutional reforms to address the inefficiencies of the centralised state. In contrast to the reforms in the 1970s the current decentralisation efforts are viewed as more comprehensive and they are linked to elected local governments, which have a certain degree of autonomy and are accountable downwards. Under the current reforms efficiency is considered to be a product of these democratic local governments. However, as it will be demonstrated in this chapter many of the reforms in Africa are experiencing what Wunsch (2001) has referred to as 're-centralisation'. This literature review will show that there is dominance of central interests that characterise the way reforms are rolled out at local level.

The challenges facing decentralisation (with re-centralisation) are not unique, and represent the key limitation with the good governance agenda. Based on the literature reviewed here some countries such as Malawi are experiencing challenges with

democratic decentralisation largely due to neopatrimonial characteristics of the state. In several countries implementing reforms in Africa, the centre is threatened by prospects to open up the space at local level for the opposition to thrive. They are also reluctant with reforms because decentralisation can lead to transfer of vital resources to the local level. These resources are needed by the centre for accumulation of personal wealth, as well as to service patronage relationships.

This chapter is divided into three sections (based on the three strands outlined above). The first section analyses the origins and characteristics of neopatrimonial state, and relates this to the literature on African state as well as the rise of developmental states. The second section deals with the emergence of the good governance agenda. The third section discusses definition and forms of decentralisation, and how decentralisation relates to the good governance agenda as well as the neopatrimonial state in Africa.

2.1   Neopatrimonialism: Definition, origins, characteristics

Neopatrimonialism as a concept has been overstretched to explain all sorts of political and economic problems across Africa and in other regions in the world. According to Mkandawire (2013: 6), the concept has become 'the convenient, all purpose and ubiquitous moniker for African governance'. Erdmann and Engel (2006: 18) define neopatrimonialism as:

> '..a mixture of two partly interwoven types of domination that co-exist namely, patrimonial, and legal rational bureaucratic domination. Under neopatrimonialism the distinction between public and private at least formally exists and is accepted, and public preference can be made to this distinction. Neopatrimonialism takes place within the framework of and with claim to legal rational bureaucracy or modern stateness. The two spheres, patrimonial domination and legal rational bureaucratic

domination are not separated from each other, quite on the contrary they permeate each other.'

As demonstrated in the definition above by Erdmann and Engel (2006) neopatrimonialism has its origins in the Weberian ideal types of states-patrimonialism and rational-legal. Weber used the term patrimonialism to separate traditional forms of political authority, domination and legitimacy from the modern ones (O'Neill 2007). Informal relationships and rules are the norm in patrimonial states. A patron usually presents gifts from private resources to followers in order to obtain their loyalty. Thus clients in this relationship receive material benefits and protection (von Soest 2006: 7; Booth et al 2006: 9). According to von Soest (2010) the relationship between the patron and the clients (followers) is unequal. Rothchild (1986) has referred to this relationship as the 'hegemonic exchange'. In contrast to this patrimonial state, in rational-legal states, there is clear separation of public and private spheres, and formal institutions and rules guide relationships between individuals and organisations. The Weberian ideal types have been 'pivotal to our understanding of development of modern state, and have provided a rich source of theory for understanding the modern African politics' (O'Neill 2007: 2).

According to O'Neill (2007: 2) the term 'neopatrimonialism' was first used by Eisenstadt (1973) to distinguish patrimonialism in traditional and modern context. The basis for neopatrimonialism is that no state in the modern era has pure patrimonial tendencies that were outlined by Weber. Neopatrimonialism characterises states where patrimonial practices occupy the realm of informal institutions that exist alongside formal, legal-rational institutions (Bratton and van de Walle 1997). Erdmann and Engel (2006: 17) have pointed out that 'all attempts to describe neopatrimonialism focus on the same complex question- the relationship between

patrimonial domination on one hand and legal rational bureaucratic domination on the other'. According to Bratton and van de Walle (1997: 62) Weber's ideal types of patrimonial and rational-legal states operate simultaneously in the neopatrimonial state. In these states the line between public and private resources is almost non-existent. Patrons who are largely office holders use public funds or power to build personal following, and this allows them to stay in power (Thierkildsen 2005: 37). The informal practices are deeply embedded in the state to such an extent that they overshadow the formal practices. The dominance of patronage networks is what Hyden (2007: 219) has referred to as 'Weberian deficit'. However, there is no agreement in literature on the extent to which the informal practices dominate the formal realm of the state. Erdmann and Engel (2006: 17) have argued that the tendency amongst some scholars is to tilt the concept too far towards patrimonialism and to minimise the legal-rational aspect. Any meaningful conceptualisation of the concept must treat both types of domination equally from the beginning (Erdmann and Engel 2006: 17).

According to Von Soest (2010: 6) in neopatrimonial states even the president who himself/ herself qualifies as a patron cannot change this pattern as s/he pleases since other actors rely on and expect these neopatrimonial exchanges. Therefore, the neopatrimonial practices are self-perpetuating with followers and other elites rewarding only those patrons that bestow gifts and other favours on them.

Neopatrimonial states have weak legal regime (Cammack 2007a). In these states formal rules- constitution, laws and behavioral norms- exist and may even be well articulated or written down. However, they are weakly applied. One way to ensure that rules do not work properly is to 'suffocate' institutions that are responsible for their application. In many of the neopatrimonial states institutions such as judiciary,

watchdog institutions, parliaments, police, media and civic organisations are weak (Cammack 2007a: 10). Sometimes the leader captures these institutions, for example through his/ her control of the appointment and dismissal process or through patronage and clientelist practices (Cammack 2007a: 1). It is also the case that these institutions will simultaneously provide services under different set of rules. For instance, it does not mean that all drivers' licenses will only be processed based on the neopatrimonial logic. Many people could still be accessing these through formal rules and systems.

2.1.1 Elements of the neopatrimonial states

O'Neill (2007) has outlined four elements of the neopatrimonial states. These are: institutional hybridity, existence of both patrimonial and legal-rational institutions, relative importance of formal and informal institutions, and institutional incompatibility.

(i)   Hybrid Institutions

Informal institutions exist in all states, whether in Africa, Asia or the west. These informal institutions exist alongside formal institutions. The difference is that in neopatrimonial states informal norms and practices are dominant as compared to the formal legal-rational rules or institutions (O'Neill 2007: 3). In rational-legal states formal rules and institutions regulate relationships between individuals, and between leaders and citizens.

(ii)   Existence of both patrimonial and legal rational institutions

O'Neill (2007: 3) stresses that patrimonial practices make use of the rational-legal institutions in neopatrimonial states. One of the characteristics of neopatrimonial

states is the existence of the formal rational legal institutions (no matter how dysfunctional they are) and elite commitment (which may be rhetoric) to separation of public and private spheres, alongside informal patrimonial practices (O'Neill 2007: 3).

(iii)   Relative importance of formal and informal institutions

All modern states exhibit practices that can be 'characterised as patrimonial' (O'Neill 2007: 3). What separates neopatrimonial states from the rational legal ones is the dominance of the patrimonial logic (Chabal and Daloz 1999). In these states personal networks are more important than bureaucratic rules (Hyden 2007: 219).

(iv)   Institutional incompatibility

In stable polities complementary formal and informal institutions usually govern the rules of the game (O'Neill 2007: 3). What distinguishes neopatrimonial states is the lack of mutually agreed set of predictable rules, and formal and informal rules are often contradictory (O'Neill 2007: 3). According to Leftwich (2000), this creates uncertainty about which rules will be enforced since there is contestation about the legitimacy of rules of the game.

2.1.2   Characteristics/ Features of neopatrimonial state

Neopatrimonial states have three characteristics as follows: (i) personalism and systematic concentration of political power in the patron, (ii) the primacy of vertical over horizontal ties, and (iii) use of state resources for political legitimation. These three features are described next.

(i)   Personalism and concentration of power

In neopatrimonial states there is concentration of power in one individual who acts as the patron or 'big man'. This patron resists delegating all but the most trivial decision making to others around him (and rarely her) (Bratton and van de Walle 1997: 63). In these states the patron/ big man is usually the president. According to O'Neill (1997: 3) and Cammack (2007b: 600), personalism saturates neopatrimonial states and expresses itself both in the form of leadership, which is largely 'presidentialism', and in the nature of power and relations throughout society.

Scholars such as von Soest (2006: 8) have pointed out that one of the dominant characteristics of neopatrimonial states is that the patron stays in power until the end of his/ her life (von Soest 2006: 8). To protect their positions and to extend their clientelist networks the patrons will usually rotate the political elite, for example the cabinet (Snyder 1992: 392). Thus there is usually long tenure for presidents and short tenure for other government officials (von Soest 2006: 9). However, this argument no longer holds for most of the countries in sub Saharan Africa where emerging democracies since the early 1990s have introduced terms limits. For example, in countries such as Zambia, Malawi, Kenya, Namibia, Mozambique, and several others term limits are now generally respected. However, in these countries the neopatrimonial state is not diminishing. Instead, patrons are adapting to the new environments, for example by using their terms to accumulate massive private resources and also putting in place policies that allow them to exercise patronage long after they have left office. One area where patrons are increasingly exercising influence is the choice of successors—the purpose is to identify those that will be loyal to them.

In neopatrimonial states the regulatory environment tends to be weak and is 'incapable' of controlling the dominant patron such that if his/ her leadership is poor s/he has the space and freedom to do more damage (Cammack 2007a: 1). Since power is concentrated in one person the patron is able 'to dominate the state apparatus and stand above its laws' (O'Neill 2007: 4). Sandbrook (1985) and Medard (1982) have referred to the patron as the 'big man' or 'strong man', hence the rise of 'big man syndrome' in reference to the nature of power relations in such states. In neopatrimonial states, these 'big men' award personal favours to other elite members in order to secure their rule. In other countries this is done through expanding the cabinet to accommodate a large number of individuals (van de Walle 2001: 32-33). For example, von Soest (2006) found out that between 1964 and 2006 the cabinet in Zambia had grown from 14 to 23 ministers. President Chiluba who came to power in 1991 following the transition to multiparty form of government formed a cabinet with 25 members. A year later this went up to 28 posts (Carey 2002: 60). In contrast, most developed countries with larger populations and economies are governed by lean cabinets with 15-20 ministers (OECD 2004: 2).

In neopatrimonial states big men (patrons) make decisions about resources. These patrons are linked with 'small big men' through informal networks that stretch outside the formal state, and they 'follow logic of personal and particularist interest rather than national betterment' (Cammack 2007b: 600). The patron and his/her allies use private or personal networks to allocate state resources such as bureaucratic positions, and powers to allocate rents, provide services and determine policies and beneficiaries (Booth et al 2006; Hyden 2007: 219).

(ii)   The dominance of vertical over horizontal ties

Neopatrimonial states are also characterised by weak class formation and individuals tend to maintain vertical relationships and/ or those based on primordial ties (kinship, ethnicity or religion) (O'Neill 2007: 3). Combined with the weak separation of public and private spheres the dominance of vertical ties lead to systematic clientelism found within neopatrimonial states (O'Neill 2007: 3). O'Neill (2007: 3) has referred to clientelism as the 'zero sum nature' of neopatrimonial competition for state power. This makes it crucial for both the patron ('big man') and clients to maintain their relationship; for the patron because of the need to maintain an adequate support base to stay in power, and for the clients, because of reliable and universal public goods and services, and safety nets that they are able to receive in such a relationship (Le Vine 1980). The informal networks in these states stretch all the way from the top to the bottom and connect 'big men', members of parliament, customary authorities, party officials, and government bureaucrats to villagers.

(iii)   Weak or no separation of public and private spheres

In the neopatrimonial state there is weak or no separation of public and private spheres. This results in the private appropriation of public sphere and the use of public resources to achieve aims such as political legitimacy (O'Neill 2007: 4). Clientelism, nepotism, horizontal exchange relationships and corruption are some of the practices that exist due to penetration of private sphere in the public domain (O'Neill 2007: 3). In these states corruption is one of the manifestations of abuse of resources to accumulate private wealth and also to secure loyalty and support for the ruling elites.

In a study of the impact of neopatrimonial practices on tax administration in Zambia, von Soest (2006) found that while corruption was rampant the Anti-Corruption Commission had remained toothless to counter the systematic misappropriation of

public resources. President Chiluba's government used state resources often to the advantage of the ruling party. A number of ministers were involved in corruption cases without being dismissed (Von Soest 2006: 12). In Sierra Leone, Stevens' tenure as head of state in the 1970s and early 1980s was characterised by rampant corruption as politicians tried to build their personal wealth (Smith 1997). Stevens (and his successor Joseph Saidu Momoh) awarded government contracts, business and trading permits to party loyalists. The illegal creation of wealth by political elites and the awarding of favours to supporters are characteristics of the neopatrimonial state (Smith 1997: 58).

The three characteristics discussed here have led to a particular 'political logic' amongst patrons in neopatrimonial states. Leaders and their opponents use both formal and informal institutions, rules and practices to legitimise their authority and gain advantage in a 'winner takes all' competition for the control of the state (O'Neill 2007: 4).

2.2   Natural state- understanding the neopatrimonial state

Douglass North et al (2009) has produced ground breaking theoretical work- 'violence and social orders'- to contribute to the understanding of the neopatrimonial state. North et al has used patterns of social organisation, 'social orders' to explain how societies transition from one social order to the next. The natural state also called 'limited access order' is a state in which personal relationships, 'who knows who', form the basis for social organisation and constitute the arena for individual interaction, particularly personal relationships among powerful individuals (North et al 2009: 2). These natural states limit the ability of individuals to form organisations.

The natural state is characterised by slow growing economies which are vulnerable to shocks, policies which are developed without the consent of the governed, relatively small number of organisations, and smaller and more centralised governments (North et al 2009: 12). The dominance of informal 'personal relationships' in this natural state is similar to the neopatrimonial state.

The opposite of the natural state is the 'open access order' in which the state is characterised by greater participation of citizens, enjoyment of impersonal political rights amongst all citizenry, more transparent institutions, legal support for wide range of organisational forms such as political parties and economic organisations, political and economic development, rich and vibrant civil society, more decentralised governments, rule of law, and widespread impersonal social relationships (North et al 2009: 2). Open access orders provide public goods and services on an impersonal basis while in natural states even something as simple as a driver's license cannot be provided on an impersonal basis (North et al 2009: 11). Very few states such as the mature western democracies are in this category of open access orders with the majority of states falling into the category of limited access orders. Countries in the limited access category can take decades and even hundreds of years before they reach the brink of graduating into an open access order. These open access orders are similar to Weber's rational-legal states.

In the natural states powerful individuals align their interests with the interests of others with whom they forge dominant coalition (North et al 2009: 13). Reforms in such states may not mean institutionalisation of changes. Those who blindly push for changes will quickly find that there are greater forces that resist the full implementation of such reforms. For instance, existence of elections every four years may not inherently produce democracy (North et al 2009: 15). In fact, elite interests

may easily be served in the presence of elections and representative assemblies (North et al 2009: 257). With reference to the African neopatrimonial state Olowu and Wunsch (2003: 18) have argued that establishing free elections, legislatures and courts, no matter how well intentioned will not change the underlying conditions of the state. Since some of these reforms may threaten the elite interests the dominant coalition of elites will do anything to protect access to these privileges.

North et al (2009) has outlined two stages that natural states should meet before they can successfully transition into open access. First, natural states must put in place institutional arrangements that enable elites to create the possibility of impersonal intra-elite relationships. Second, transition will begin when the dominant coalition of elites find it in their interest to expand impersonal exchange for rents, and institutionalise open elite access to organisations. It can take long time before countries knock on the door and events leading to these changes can take centuries as countries develop institutions, beliefs and organisations that can sustain the changes. A legitimate question can be asked on the extent to which institutions in the West met the Weberian standards in the 1800. It is doubtful that democracy and meritocracy had been established at this stage. It took several decades (if not centuries) before Britain, France and USA arrived at the doorstep in the late 18th century and they made the transition successfully between 1800 and 1880 (North et al 2009: 27). For South Korea and Taiwan the process seems to have taken about 50 years (North et al 2009: 27). North et al (2009: 245) has argued that reforms in countries that successfully transitioned were a by-product of intra-elite politics rather than as a result of popular movement from below. For instance, the formation of rights after the Act of Union

between England and Scotland[2] in 1707 was as a result of this intra-elite politics. Countries also pursue different pathways towards the transition. Countries such as USA, France and Britain did not graduate to the open access order along the same path or using the same institutions (North et al 2009: 248).

The natural state shares characteristics with the neopatrimonial state, for instance the dominance of personal 'informal' rules over formal ones, and the centralisation of power in ruling elites. In the natural state public policy has to be understood from the perspective of what incentives such reforms offer for ruling elites and their allies. Based on these incentives, ruling elites can either capture/ distort or commit to reforms. The literature on natural state also provides an additional perspective. Reforms are likely to work if they focus on building a coalition of influential elites that can relate with the benefits of such reforms and are committed to pursue or push for these reforms. In these states it is less likely for the masses to demand for changes due to the oppressive nature of these neopatrimonial, limited access states. Douglass North's natural state also demonstrates that changes if pursued in the correct order can occur but need to be given adequate time. Furthermore, in contrast to the literature on neopatrimonial state, the natural state has provided critical conditions that can lead countries to graduate to 'open access orders'.

2.3   Neopatrimonialism and the African State

Neopatrimonialism has been used as a universal concept to explain the challenges facing the African state ranging from economic crises to democratic problems. Proponents of neopatrimonialism such as Englebert (2000) and van de Walle (2001)

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[2] Act of union was passed by the English and Scottish parliaments in 1707 and it led to the creation of the United Kingdom of Great Britain.

have argued that there are distinct characteristics that separate governance in the African state from countries in other regions of the world. Neopatrimonialism is an institutional characteristic of African regimes (Bratton and van de Walle 1997). According to von Soest (2006: 1) this African state is characterised by lack of separation between public and private sphere, and this negatively affects the state's capacity to deliver goods and services effectively.

Neopatrimonialism in Africa emerged due to the political and economic pressures that modernity presented for pre-modern societies (see: O'Neill 2007: 4; Beekers and van Gool 2012; Erdmann and Engel 2006). According to O'Neill (2007: 4) postcolonial African societies were faced with two forces. First, there was pressure to create a modern nation state including formation of necessary centralised structures of power and administration. Secondly, there was pressure that arose due to the global spread of capitalism and penetration of market economies in Africa. African societies were unable to cope effectively with these dual forces of modernity (O'Neill 2007: 4). Erdmann and Engel (2006: 19) have argued that at independence the legal rational sphere was still limited to the centre of power- the capital. The newly independent states begun expanding administrative structures in order to penetrate and provide services to various parts of the territories. However these were 'challenged and invaded from above and below by informal relationships' (Erdmann and Engel 2006: 19).

The section below explores the rise of neopatrimonial state in Africa and analyses its characteristics.

2.3.1 Colonial state, and effects on neopatrimonialism

The colonial state was a superficial imposition on what were previously decentralised but hierarchical societies. It was designed to serve the interests of particular colonial interests powers including the protection of colonial economic interests, extraction of minerals and other natural resources and maintenance of order (O'Neill 2007: 6). According to Lawson (2005: 103), the post colonial state did not change the underlying social structure. Partly, this was also due to the fact that the colonial state had inadequate resources, and therefore the legal rational sphere was mostly limited to the centre of power in the colonial capital while in the rest of the country intermediary authorities such as chiefs were used to govern the majority of the population (see: Erdmann and Engel 2006: 19). In short, African states did not inherit a functioning Weberian bureaucracy at independence (O'Neill 2007: 6). And yet, the contemporary African regimes are usually judged against the Weber's modern bureaucracy. Given the role of the colonial state in Africa studies that examine the nature of African states should also explore in what ways the imposition of the colonial state has had implications on how it has evolved. For instance, how did the colonial state deal with the informal practices and norms of the previously decentralised but hierarchical societies that it found? O'Neill (2007: 6) has pointed out that colonial regimes were authoritarian:

> 'Political and bureaucratic power was extensive and arbitrary and accountability mechanisms that existed were external. Colonial states used patronage extensively alongside coercion to ensure compliance or loyalty..'

> *O'Neill (2007: 6)*

The colonial administrations that were set up in Africa were different from the Weberian institutions in west. According to Chabal and Daloz (1999), there was little effort by the west to 'transplant' the western institutions. Instead, the colonial machinery sometimes exploited the indigenous system to their advantage the results of which have continued into the postcolonial state. For instance, the colonial state co-opted chiefs into its structure in order to carry out its functions effectively, for example on tax collection and maintaining law and order. With the backing of the colonial state chiefs became less accountable to their subjects. This has carried on into the postcolonial era whereby traditional authorities have the backing of powerful central authorities (Kelsall 2008: 7).

There was also weak capitalist class formation during the colonial period, and this left a large peasant society (O'Neill 2007:4). In comparison to the colonial state, the postcolonial state in Africa remained predominantly agrarian. The African peasantry did not develop a common identity, interests or political agency. In short, the peasantry did not create a dominant agriculture class. As a result the peasantry has largely been organised along vertical lines (O'Neill 2007: 5). Since no substantial capitalist class emerged with an independent economic base, the state became the primary base for the accumulation of wealth (O'Neill 2007: 5). This has created competition amongst political elites as they seek to control the means of earning public resources.

At independence the African elites who took over from the colonial rulers only had the colonial state model as a frame for reference as they sought to create the postcolonial state. The 'alien' nature of the colonial state created problems for legitimation of power for the new elites (O'Neill 2007: 4). This is what O'Neill (2007: 4) has referred to as 'state artificiality'. Since African elites only had

experience with this colonial state, most of its characteristics were maintained after independence. However, African elites faced new challenges. The public sector lacked financial, human and organisational capacity to deliver. And yet, its role was 'increased by the pursuit of state led development in most of Africa' (O'Neill 2007: 6). The capability and effectiveness of the state was further undermined by the 'suffusion' of political and administrative structures with patrimonial practices as a result of elite contestations for control and consolidation of power, political centralisation and the Africanisation of state structures in terms of personnel (O'Neill 2007: 7).

Therefore, when African elites embarked on nation building they used the tools that were available to them (O'Neill 2007: 5). Given these structural challenges (discussed above) that African societies faced, personalism and vertical relations constituted a key source of social and political capital; and patronage and clientelism was one of the few effective tools available to the African elites (O'Neill 2007: 5). Clientelism also provided win-win situation for the wider population. It allowed them to access goods and services through familiar existing relations and norms (Brinkerhoff and Goldsmith 2012: 11).

The social heterogeneity in many African societies has also made it difficult to build a functioning nation state modeled on the west. African countries are made up of populations that are ethnically diverse (O'Neill 2007: 5). This has meant that 'communal but sectarian identity is primary, and this undermines the formation of any form of national identity and loyalty' (O'Neill 2007: 5). It makes it easier for political elites to exploit these divides through use of patronage practices.

2.3.2 Ekeh's primordial and civic publics

Ekeh (1975) has argued that African politics have to be understood in terms of how Africans distinguish the two types of public sphere, the primordial public and the civic public. Each is characterised by different relationships with the moral principles prevailing in the private sphere of a family. The primordial public is made up of the individuals' kinship networks, ethnic group or home village (Booth et al 2006: 17). The primordial public is the basis for moral obligations, which are similar to those applying within the family. Ekeh (1975) has argued that only the primordial public shares common foundation with Africans private morality. On the other hand, the civic public which is the public realm of the state is 'amoral and is therefore not a focus of generalised moral imperatives' (Booth et al 2006: 17). Under the primordial public the African citizen acknowledges his/her responsibilities while in the civic sphere the emphasis is on his/her rights (O'Neill 2007: 8). In this primordial sphere there is a 'patriarch and he (rarely she) provides for his followers or family, making personal donations of food and other resources' (Kelsall 2008: 7). According to Kelsall (2008: 7), it is very difficult to disapprove a leader who nurtures his/her clients in this way.

The moral discontinuity between the social order and the state has important and long lasting implications. For example, it means that the basic obligation of powerful individuals/ dominant patrons to support their relatives and other followers, and of the latter to show corresponding support and loyalty has prevailed in most cases within the 'under-formed state' as well as outside it (Booth et al 2006: 17). Consequently, the state has limited capacity to resist capture by patronage and clientelist networks (Booth et al 2006: 17). In the African context patronage and clientelist practices are only illegal because they are not in line with the 'imported ideological rational legal

government system built on strict separation between private and public spheres' (Kelsall 2008: 11). The lack of fit with local political culture has created incentives for rule breaking and opportunities for self enrichment (Kelsall 2008: 11).

2.3.3   Patronage and clientelism: adapting to evolving circumstances

Patronage and clientelist practices continue to exist in many states in Africa. The continued existence of clientelism as a strategy for both elites and poor Africans reflects the ability to adapt to new demands and circumstances (O'Neill 2007: 5). According to O'Neill (2007: 5), 'patron-client relations have been fundamentally transformed in the process of becoming a mechanism for linking the centre and the periphery'. Other scholars such as Migdal (1988) have pointed out that initially clientelism had emerged as an essential strategy to address the political and socio-economic effects of colonialism. According to Migdal (1988), the 'rapid infiltration of market based economies in Africa reduced the effectiveness of kinship based strategies which African societies had previously used for survival'. However, this rapid penetration of market economies did not provide enough time for evolution of new strategies. According to Brinkerhoff and Goldsmith (2012: 11), the sustained dependence on familiar social resources based on existing relations and norms was therefore a 'rational strategy' based on the reasonable assessment of risk.

According to O'Neill (2007: 6), the neopatrimonial logic can be self-replicating. This is because the private accumulation of public resources and clientelism prevents the emergence of conditions that are necessary to transform neopatrimonial practices and norms. For instance, weakened economies are exacerbated by rampant and decentralised rent seeking practices at all levels, and in turn this does not allow for significant rise of capitalist or middle classes who rely less on the state for rents.

Comparative history suggests that patronage based systems break down as social classes are formed through capitalist economic development (Booth et al 2006: 16). The emergence of new economic actors upon whom the state relies for taxation results in increased calls for the state to be accountable. Yet, as it has been argued earlier in most of Africa development of new classes has been slow even with the high rates of urbanisation. As a result, both the ruling elites and the wider population continue to look to the state as a source of power, goods and services, which in their limited amounts lead to patronage and clientelist practices as dominant patrons and other elites seek to secure support and loyalty from their supporters.

Patronage and clientelist practices are also widespread in the African bureaucracies. In fact, scholars such as Cammack (2007b: 601) has argued that bureaucracies in Africa are deliberately structured to meet the interests of the dominant patron and the ruling elites. Politicians are well aware of the importance of a well functioning, independent and meritocratic state bureaucracy in delivering national development policies. However, such bureaucracy, if it existed, would be 'less pliable and politically reliable and more likely to expose abuses' (Cammack 2007b: 601). So what appears to the outsiders, as a weak bureaucracy is in fact an efficient one that allows ruling elites at the centre to maximise rent-seeking practices.

2.3.4 'Big man syndrome' in Africa

African neopatrimonial states are characterised by big men who are usually presidents and they tend to stay longer in power than their counterparts in Asia and Latin America (Bienen and van de Walle 1992: 693). As already pointed out, the trend has been that these leaders stay in power for long and sometimes until the end of their lives. In Zambia von Soest (2006) noted that the average tenure for the three

presidents (Kaunda, Chiluba and Mwanawasa) was 14 years. This is more than the 11.6 years that African leaders have on average managed to stay in power from 1980 to 2005 (van de Walle 2005: 74). In Malawi the average tenure for the three presidents (Banda, Muluzi and Mutharika) has been 16 years. While these long tenures were true in the 1970s and 1980s with life presidents like Banda in Malawi, Kaunda in Zambia, and Moi in Kenya, such life long terms are increasingly becoming rare. This has mostly been due to the rise of democratic forms of governments (at least on paper) since the 1990s, which have brought in periodic elections (regardless of the quality of such elections). Democracy has changed how the patrons maintain patronage and power. As was already argued, the interest has now shifted towards accumulation of 'adequate private resources' during the legal terms, and also trying to influence succession so that one can still have significant informal powers when s/he is out of office. There are few leaders remaining such as Mugabe in Zimbabwe and Museveni in Uganda who still conform to this description of life long 'big men'. In few exceptional cases, for example, Muluzi in Malawi in the 1990s, leaders have tried to change the constitution to prolong their terms.

O'Neill (2007:4) suggests that 'big men' in African need an additional element of 'charisma' which is used to legitimise their authority. 'The hierarchical nature of many African societies and the dominance of patron-clientelist relations mean that personalism and 'big man- small man' dyads tend to be replicated at and link all levels of society (O'Neill 2007: 4). This 'big man' draws on traditional rural concepts of leadership and dependence and in some cases a mixture of international ideologies (Booth et al 2006: 9; Olowu and Wunsch 2003: 19).

Patrons and other elites depend on state resources (including aid) to accumulate private income. Losing an election for these powerful individuals and other elites

connected to them may mean a return to the village, obscurity and relative poverty (Cammack 2007b: 601). Although it has not come out in literature, it is the observation of the researcher that recent trends in Africa suggest that one of the reasons why big men try to influence succession is to ensure that they can exercise informal influence over new patrons who in return for 'being handed over the seat' will shield them from prosecution—on abuse/misuse of public resources. Recent trends in Malawi and Zambia have seen previous presidents (Chiluba in Zambia and Muluzi in Malawi) being arrested for abuse of public resources. Since most presidents in Africa now have to operate within a specific number of constitutional terms the fear of prosecution might provide great incentives to retain informal power through other means- putting a family member or a trustworthy lieutenant in office. Such actions might also allow the patrons to still exercise influence over state affairs, and accumulation of wealth. This area requires further study.

Neopatrimonialism has affected public sector in Africa in several other ways. According to O'Neill (2007: 7) ambiguous application of rules greatly influences leadership style and this sets the tone for the entire state apparatus. Migdal (1988) has argued that the governance in Africa is characterised by the 'politics of survival' and this produced a 'calculus of pressure', which influences the incentives for public servants. In these neopatrimonial states resource allocations by bureaucratic actors are influenced by 'relationships of accommodation and the relative bargaining power of these actors vis a vis their peers such as other bureaucratic or political actors' (O'Neill 2007: 7). In the case of decentralised governments, 'local strong men' can also be influential in determining the resource allocations by these bureaucratic actors (O'Neill 2007: 7). In most instances, political actors have influence over appointments in the bureaucracy. In such contexts rational-legal operations according

to formal rules are difficult due to this wide spread use of political, and not always meritorious appointments (O'Neill 2007: 7). So while formal rules exist, bureaucratic actors may be prone to informal pressures that may force them to act in ways that serve those that have power over them.

Patronage and clientelist practices heavily influence the design of public policies in the African neopatrimonial states. For instance, clientelist relations have an effect on who is recruited and the distribution of rents amongst various elites. Bratton and van de Walle (1997) have pointed out that due to patronage and clientelist practices some regimes have employed 'state interventionist models' in order to extend control and have greater scope for corruption and generation of rents. Ruling elites ensure that policy is driven by the need to service patronage networks of one kind or another (Booth et al 2006: 9: Hyden 2007: 219).

2.4   Neopatrimonialism and developmental states

The economic miracle of countries in South East and East Asia has provided the basis for new literature on developmental states. The comparison of Africa with these Asian countries provides an opportunity to examine whether some types of neopatrimonial practices are more developmental than others. In the 1960s most African countries had per capita incomes that were higher than those of South East and East Asian nations. However, in the subsequent decades African incomes have grown only very slowly or stagnated while in several East Asian and South East Asian countries per capita incomes have climbed steeply (Kelsall et al 2010: 3). According to Kelsall et al (2010: 3), if the narrative about development in Africa is correct then we should expect to find that neopatrimonial practices did not exist in the Asian countries and that was the reason for their strong economic performance. However, the opposite is

true. Democracy has been weak in a number of Asian countries. Large areas of the bureaucracy have been personalised and rent seeking and corruption have 'flourished' (Kelsall et al 2010: 3). These Asian countries have been neopatrimonial states. Countries such as Malaysia, Indonesia, Vietnam and Thailand have or are about to become middle-income countries (Kelsall et al 2010: 3). In contrast, many of the African countries that experienced growth in the 1960s went through a period of economic decline in the 1970s and 1980s.

Therefore, the relationship between neopatrimonialism and development appears to be more complex and worth investigating further. Indonesia provides a good example of an Asian neopatrimonial state. During the first decade of Sukarno's rule the country went through a period of political crises and economic mismanagement that rivaled periods of 'misrule' on the African continent (Kelsall et al 2010: 4). The army took over control from Sukarno and subdued the population and crashed the communist party. General Suharto begun to build a stable state not based on the Weberian rational-legal bureaucracy, but on personal exchange of rent seeking opportunities between him, the military and business (Kelsall et al 2010: 4). Military officers, their wives, brothers and cousins, together with Suharto family itself entered into private business in conjunction with commercially skilled indo-chinese immigrants (Crouch 1979: 577). As a result a new class emerged, of 'political-business families' (Hadiz and Robison 2005: 224), and they built large business empires.

Despite the rent seeking, waste and corruption the business firms performed well and the economy grew. According to Kelsall et al (2010: 5), the Indonesian economic model was 'wasteful, politically authoritarian, and destructive to the environment', but its growth potential cannot be denied. Crouch (1979: 579) has argued that

Indonesia appears to confirm the idea that in the early stages patrimonial practices need not be a stumbling block to capitalist economic development. Between 1966 and 1977 Indonesia was one of the fastest growing economies in the world with mining, agriculture, oil and timber 'booming' (Kelsall et al 2010: 5). Kelsall et al (2010: 5) has provided several reasons why Indonesia did not collapse into a weak state as many of the regimes in Africa have been characterised. First, it was the way rent seeking and corruption were organised. The centre was able to have monopoly over rent seeking and corruption due to strong monitoring and enforcement. It prevented individuals from acting independently and ensured that a large share of the rents went upwards to the top (Kelsall et al 2010: 5). In contrast, where rent seeking and corruption is decentralised to all levels, there are a lot of competing agents, each trying to get maximum revenue possible. In this scenario, officials aim at maximising their own take with little or no regard on the effect of their practices on the economy as a whole (Kelsall et al 2010: 5). In the case of Indonesia, the potential damaging impact of neopatrimonialism was controlled by the centralisation of patronage:

> 'Clientelist pressures and corruption did not spin out of control, Suharto took the view that regime survival and his own personal fortune depended upon long term economic growth, so that when corrupt rents were extracted from the system it was with a view for the long term'

> *Kelsall et al (2010: 6).*

Kelsall et al (2010: 6) suggests that Asian states such as Indonesia have not necessarily been less patrimonial, rent seeking or corrupt than African states. However, the difference has been on the nature of patrimonial practices that existed in Asia. Khan (2000: 21-22) has pointed out that managing development may require

ongoing discrimination of efficient from inefficient rents by policy makers and analysts. Some work in Africa has focused on similar issues. According to Allen (1995), not all African states were dysfunctional, and more stable and successful economies had endured by introducing forms of centralised bureaucracy which while retaining forms of neopatrimonialism managed to prevent competition for rents or spoils from reaching the damaging levels.

Kelsall et al (2010: 8) suggests that there are countries in Africa that went through periods of long horizon, centralised rent systems. Some of these countries are Malawi (1961-1978), Kenya (1965-1975), and Ghana (1957-1966; and 1981-1992). Malawi, Kenya and Ghana (1981-1992) achieved strong economic performances during these periods even when they were under heavily centralised and neopatrimonial regimes (Kelsall et al 2010: 12). In contrast, ruling elites in countries such as Malawi (1994-2004), Rwanda (1962-1973), Cote d'Ivoire (1975-1980) and Uganda (1971-1986) focused heavily on rent seeking practices that maximised benefits for the short term and ignored the long term effects of such plunder. Rent seeking was also heavily decentralised. As a result these countries achieved poor economic performances during these periods since rent seeking at various levels depleted resources vital for promoting growth (Kelsall et al 2010: 12). Since 2000 Rwanda has been one of the models of economic success in Africa. According to Kelsall et al (2010: 21), Rwanda has focused on putting the right institutions in place even though its human rights record has not always been perfect. The country under the leadership of Paul Kagame has centralised rent utilisation. Kagame, and the ruling party, Rwanda Patriotic Front (RPF), have used a private company, Tri-Star Holdings to engage in a systematic process of rent utilisation that is centralised and also based on long-term perspective (Kelsall et al 2010: 22). This has led to significant gains in the economy.

The strong economic performance of some neopatrimonial states in Africa (during certain periods) has led scholars such as Kelsall et al (2010: 22) to coin the term 'developmental patrimonialism' to categorise these countries where neopatrimonial practices have led to significant gains in the economy. However, there is a word of caution. While in South East and East Asia regimes with neopatrimonial practices have promoted economic growth, in Africa the situation had been less hopeful. Kelsall et al (2010: 27) has argued that the conditions in which developmental patrimonialism emerge are rare. It seems the model depends on existence of skillful leaders with personal authority to put in place a system for centralising rents. The leader must have a long-term vision, and should balance 'the political and economic demands of rent creation and distribution, allocating adequate rents both to growth spots and to political rivals with the potential to hinder growth through instability' (Kelsall et al 2010: 27). Kelsall et al (2010: 27) also suggests that a well functioning system for stable transfer of power must be in place in order to avert 'growth damaging succession crises'. However, developmental neopatrimonialism has also not been popular due to its links with dictatorial one party system in Africa. In the Rwanda case there is a dominant party regime, which is well known for its political intolerance (Kelsall et al 2010: 27).

2.5   Critique of Neopatrimonialism

One of the main criticisms of the term neopatrimonialism is that it has been over-used to explain all the problems facing the African state. Wai (2012:31) has pointed out that every failure in Africa seems to be blamed on a crisis of neopatrimonialism. It has become a 'catch all' framework for analysing African states. Although the concept has been applied widely to describe the state in Africa neopatrimonialism has not received adequate analysis with regard to its relevance for understanding African

politics (Erdmann and Engel 2006: 1). This 'uncritical use of the concept is problematic' (Erdman and Engel 2006: 1). There is also a tendency to ignore the extent to which other factors have contributed to the slow and sometimes negative pace of development in Africa:

> 'Neopatrimonialism portrays African states as aberrant political formations, pathological constructs, dysfunctional entities and criminal enterprises which are said to be governed by corrupt, tyrannical and authoritarian regimes of big men whose greed, rent seeking behaviors and the intense politics of patronage that they engage in more than other factors have led to criminalization of the states and stymied its development into full blown modern, rational-legal bureaucratic states and capitalist economies. Big men have turned functional states bequeathed to the various national entities that emerged as independent states into dysfunctional entities'

> *Wai (2012: 27)*

The concept also tends to focus on the problems and fails to adequately explain many periods of 'growth accelerations' that some African countries have gone through (Mkandawire 2013: 12). From the literature there are differences in terms of how African countries have performed over time and in contrast to each other (Mkandawire 2013: 41). There are several countries in Africa such as Nigeria, Democratic Republic of Congo, Liberia, Kenya, Zambia and Cameroon, and others where the logic can explain for example, the lost decades of the 1980s and 1990s (Mkandawire 2013: 49). However, use of the concept to explain every problem in Africa is problematic. This undermines the effect of other factors including the role of external actors.

As already argued, one of the problems with how the concept has been used is the fact that more emphasis is placed on patrimonialism, and legal-rational aspect is minimised. As Erdmann and Engel (2006: 18) have pointed out there is more to African politics than just personalisation/ privatization of formal relations. Not all political and administrative decisions are based on 'informal rules determined by private or personal gusto' (Erdmann and Engel 2006: 18). However, this is not to say that there are no cases where public goods are provided based on informal rules and networks. By treating neopatrimonialism equally from the beginning (see Erdmann and Engel 2006: 17), one also acknowledges that some of the challenges in Africa might actually be caused by many other factors. The problem is that by focusing narrowly on the dominance of patrimonial logic, many aspects of Africa's underdevelopment are given a 'cultural twist' (Mkandawire 2013: 50). Uncritical use of neopatrimonialism ignores many of the real problems that contribute to Africa's underdevelopment; 'corruption, vertical and horizontal inequality, ethnic and gender discrimination, weak state capacity, weak ideas, political chicanery, and the machinations of the many external actors that still seek to exploit Africa' (Mkandawire 2013: 50-51).

Neopatrimonialism is problematic because as a single conceptual framework it tries to explain 'multiplicity of complex and varied socio-political realities and in doing this makes the concept impossibly elastic, and having a never ending appetite to explain everything from the form of the state to the nature of politics and behavior of political elites through economic performance, processes of accumulation and economic rent distribution as well as development practices and failures'. (Wai 2012: 32). The application of neopatrimonialism has also ignored the uniqueness of African history and how this might explain the way things happen. Wai (2012: 32) has argued that

'there is an inability to come to terms with the specificity of the African historical reality and as a result proponents of neopatrimonialism school of thought have resorted to this problematic, eurocentic evolutionist lenses that compares African states to the evolution of western states and societies'. Wai (2012: 33) has referred to this as 'vulgar universalism' that disregards the specific historical context that African countries have gone through and which is largely different from that experienced by the western countries. There are still key questions around what role the history of countries has played in the formation of the current state in Africa.

Neopatrimonialism has also made extensive use of the term 'big man' to refer to dominant patrons who engage in patronage and clientelist networks with their supporters. While this term might have been appropriate in the 1970s and 1980s in Africa its continued use needs to be revisited. Two women presidents have emerged in Africa since 2000 (in Liberia and Malawi) and this makes the term redundant particularly where these women leaders portray the same characteristics as the dominant patrons. This study will show that in the case of Malawi although the female president is new in office she is already portraying signs of a dominant patron. Hence the study uses the term 'big woman' alongside the 'big man'. By extension 'small big men' needs to be extended to also acknowledge women who are emerging as key actors at national and local level.

There is also a tendency to criticise African states for poor performance without regard for how long such reforms took in the west. For instance, in the United States (US), the US civil war occurred about 100 years after the revolutionary and US independence. Yet, the US civil war is seen as a critical moment in the evolution of the state as a political formation and not as a moment of failure (Wai 2012: 34). In France the French revolution is considered as the single most important moment in

the formation of the modern French state. However, between 1789 and 1870 France was in a permanent state of turmoil, civil strife and political unrest (Wai 2012: 34). This did not quality the French state as a failed one during this period.

It is also worth pointing out that no state has met the Weberian ideal types. Le Vine (1980) has argued that the Weberian ideal types do not present a clear fit with any existing states. Weber regarded his ideal types as 'abstract methodological and explanatory devices and not as a description of any empirically grounded or actual existing reality' (Wai 2012: 34; O'Neill 2007: 2). There is a risk in turning these constructions into real states and 'presumptive norms' of state rationality constructed and based on the 'specific rendition of history which ignores the specificity of the African context in preference for the west's historical independence as the universal form' (Wai 2012: 34). The ideal types in themselves are not wrong. However, the limitation is that as model patterns there is little attention to variations or detail (Kelsall et al 2010: 2). Kelsall et al (2010: 2) has pointed out that such neopatrimonialism lends itself to simplistic understanding and misleading political implications largely due to limited focus on variations or details. There are also very little clues given about how a state can transition from neopatrimonial to rational-legal model (Kelsall et al 2010: 2). O'Neill (2007: 12) has argued that this framework is limited because it tends to focus on obstacles to reforms. It fails to articulate the conditions that can 'instigate and consolidate' reforms under such circumstances (O'Neill 2007: 12).

The other implication of this framework is that it focuses on the internal dynamics as the causes of the problems and ignores the influence of other factors, some of which might be external. Therefore, the solution offered is to follow the western model-political, social, cultural and knowledge systems (Wai 2012: 40):

'It legitimises ongoing imperial power relations and impulses as the west intervenes and pursues its aim of controlling and shaping histories and destinies of these societies by imposing its preferred political, social and economic policies and systems on them.'

Wai (2012: 40)

Other scholars such as Kjaer (2004) have argued that in trying to understand the challenges facing the African state there is need to examine other institutional factors that 'transcend the neopatrimonial logic'. For instance, how can we explain the variations in economic performance between neopatrimonial states in Africa and Asia (South East and East), as well as between states in Africa? Kjaer (2004) suggests that the ability of patrons to be reformers depend on the nature of institutions and this is not particular to neopatrimonialism only. Kjaer has used a 'new broom thesis' to categorise leadership in two camps as follows: (i) Not all new leaders are reformers and their options are expanded or limited by the nature of their support base and their institutional legacy; and (ii) Not all old leaders are powerless to reform- their ability to carry out reforms is influenced by the strengths of formal institutional arrangements including the existence of a strong party and stable succession rules which reduce their reliance on patronage based support strategies, and in turn allows them to promote further instititionalisation (O'Neill 2007: 13). Therefore, while resistance to reform may be strong within neopatrimonial states there might be circumstances (for example during periods of stability or after radical transition) in which patrons can support and push through reforms (O'Neill 2007: 13).

O'Neill (2007) suggests use of rational choice analysis alongside neopatrimonialism as a framework in order to understand these circumstances and how they produce variations in the reform process. The focus of rational choice is on decisions taken by potential winners and losers in any given policy change, and it examines how their

relative power, knowledge and capacity to organise enables them to block policy measures that hinder their interests or lobby for those that promote them (Grindle 2002). Therefore, incentives to reform can exist even within neopatrimonial states. Leaders will usually weigh the benefits of reform or failure to do so, against its costs, and this is what may explain the variations in the outcome of reform programmes in many African states (O'Neill 2007: 13). Since downward accountability tends to be weak in most African states it is the elite arrangements that need to be examined in order to identify possible challenges to reforms. O'Neill (2007: 14) has argued that this might explain why in such states reforms that do not benefit the state are rarely implemented. The rational choice is useful in understanding the various actors involved in any reform programme, their powers to act, as well as the interests that they have in supporting or hindering reforms. Still studies of neopatrimonial states provide us with theoretical comprehension of how elites operate and the logic that drives them (Cammack 2007b: 600). According to Erdmann and Engel (2006: 30-31) although the concept has many conceptual problems many of the studies that are based on neopatrimonialism have come to 'far reaching conclusions'.

2.6   The era of governance, good governance and development

This section reviews the emergence of the good governance agenda in the 1980s and 1990s as a response to address the challenges of the neopatrimonial state in Africa. Although the good governance agenda has extended to many developing countries its popularity and widespread use should not suggest a clear theoretical or practical positioning. In fact, amongst the supporters of the concept there seems to be no agreement in how to define it or its elements. In a way this means that developing countries have to deal with multiple and varied agendas that are being pushed by various donors under the banner of this 'good governance agenda'. These differences

also complicate how success should be measured with governance indices focusing on different indicators often based on how each organisation understand the term and its elements. This section analyses these inconsistencies in the definition and application of the concept, and explores its limitations in relation to the neopatrimonial state in Africa.

The good governance agenda has seen many development countries in Sub Saharan Africa and other parts of the world experiencing wide ranging political and economic reforms. Good governance programmes have focused on changes in the nature and quality of institutions and how these matter in the delivery of policies and programmes. Beekers and van Gool (2012: 2) have argued that good governance arose in the 1990s due to the renewed interest in the role of a strong state in development- this has been an era of 'bringing back the role of the state'.

Scholars and development practitioners have played a key role in the emergence of good governance as a concept. The latter have been more influential in terms of applying the concept in various development programmes (as focus and conditionality for aid) in developing countries. From literature reviewed good governance has emerged due to the frustrations with the performance of centralised states in Africa and elsewhere. According to Grindle (2010: 3), the 1950s to 1970s was an era of a 'strong state in development'. For instance, economists contended that the state (in poor countries) needed to provide investments that would stimulate economic development while political scientists argued that centralised states were needed for nation building and political modernisation' (Grindle 2010: 3). Therefore, both economists and political scientists were in agreement on the need for a strong state to direct policy and development agenda. By 1970s a lot of questions were raised about the effectiveness of the centralised 'strong' state. This era was replaced with the

'rolling back of the state' in the 1970s and early 1980s. This was a period when agencies such as the World Bank and IMF were interested in as little government as possible (Jenkins and Plowden 2006: 28).

The era of reduced role of the state was short-lived, and by the 1990s development economics specialists became more interested in the role of institutions in market economies (Grindle 2010: 4). In a 1989 World Development Report, the World Bank argued that African development challenges were as result of a 'crisis of governance' (Jenkins and Plowden 2006: 28). The role of the state was seen as key to social and economic development (Hague and Harrop 2007: 9; Hamdok 2003: 16). This was a return to the role of a strong state in development. Grindle (2010: 3) has also argued that the idea of good governance emerged from the 'intellectual resurrection' of the state as a major player in economic and political development. The underperformance of the centralised state in Africa had frustrated many in multilateral and bilateral development agencies. Beekers and van Gool (2012: 2) have argued that the re-mergence of the strong role of the state in development was as a result of the failures of paradigms such as rolling back the state and free market ideology which led to greater focus on the role of the state to create good policy environment. The renewed interest in the a strong capable state was also in part due to the experience of 'Asian Tigers' where the state had played a key role in facilitating development. There was one key conclusion in the South East and East Asian State- that it was the quality of the state that mattered and not the size (Grindle 2010: 4).

The World Bank is one of the development agencies that have been instrumental in bringing 'governance' to the top of the development agenda. According to Beekers and van Gool (2012: 3) and Hyden et al (2004: 15), donor agencies played a key role

in pressurizing the World Bank to take action against economic mismanagement, bureaucratic ineptness and endemic corruption in many of the countries that were receiving assistance from the Bank. In 1991, the World Development Report released by the World Bank focused on democratisation and institution building. In this report the Bank pointed out that the public sector reforms (supported by the Bank) were unable to make headway due to 'powerful vested interests' and therefore there was need to address governance as pre-requisite to development (Lawson 2005: 92). As a result governance programmes have gained so much popularity within the Bank. Since the mid 1990s the World Bank has supported more than six hundred governance related programmes in close to 95 countries. Projects include: civil service reform, legal and judicial reform, decentralisation, anti-corruption legislation, red-tape reduction and the capacity building of accountability institutions such as ombudspersons and parliamentary oversight bodies (Beekers and van Gool 2012: 2). In 2000, the World Bank spent $2 billion on public sector governance and in 2004 it spent $3.4 billion (an equivalent of 17% of all lending) (Jenkins and Plowden 2006: 29).

The United Nations (UN), another key actor in the emergence of the concept, has spent millions of dollars supporting governance programmes in many countries around the world. Between 1992 and 1996 UN spending on government programmes increased tremendously. During this period the United Nations Development Programme (UNDP) spent $1.3 billion on good government, public resources management and coordination (Jenkins and Plowden 2006: 33). By mid 1990s programmes were focusing on decentralisation and strengthening civil society. By 2003 UNDP was supporting public administration programmes in over 100 countries. Another actor, the International Monetary Fund (IMF), declared in 1996 that good governance- with all its aspects of rule of law, efficiency and accountability of public

sector, and tacking corruption- was critical for countries to prosper economically (Jenkins and Plowden 2006: 32). In the UK's Department for International Development (DFID), a new cadre of Governance Advisors was created and by 2005 there were over 80 Advisers (Jenkins and Plowden 2006: 39).

However, despite its appeal the term is marked by controversy due to among other things lack of consensus or common position on how it is defined. Scholars such as Hyden et al (2004: 12), Hague and Harrop (2007: 9), Jenkins and Plowden (2006: 8), and Olowu and Sako (2002: 1) have argued that even with its wide application at practical and theoretical level governance means different things to different people. International organisations have played key roles in shaping the definition of governance and what elements are constituted in the term. For the World Bank, governance means the manner in which authority is exercised in the management of a country's economic and social resources (Weiss 2000: 797; Hyden et al 2004: 15). The World Bank definition addresses three separate elements of governance: (i) the form of political regime, (ii) the process by which power is used in the management of a country's economic and social resources for development, and (iii) the ability of government to design, make and implement policies, and carry out functions. Therefore, the Bank has focused on characteristics such as accountability, transparency, public sector efficiency in delivery of services, rule of law and political order (Grindle 2010: 2).

On the other hand, UNDP defines governance as the 'exercise of economic, political and administrative authority to manage a country's affairs at all levels' (see Weiss 2000; and Olowu and Sako 2002). UNDP's definition includes 'mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and deal with their differences'

(Weiss 2000: 797). UNDP emphasizes 'participation, transparency, accountability, effectiveness and equity' as key characteristics of good governance (Grindle 2010: 2). For the OECD, governance is the application of control in a society in relation to the management of its resources for economic and social development (Weiss 2000: 797). According to Weiss (2000: 797), this definition focuses on the role of public authorities to establish an enabling environment within which economic operations function. These public authorities also have a role to determine the allocation of benefits as well as the nature of the relationship between the ruler and the ruled (Weiss 2000: 797). The Commission on Governance define governance as the 'sum of the many ways individuals and institutions, public and private, manage their common affairs' (Weiss 2000: 797). Based on this definition the emphasis is on 'formal institutions and regimes and how they enforce compliance, as well as on informal arrangements that people and institutions either have or have agreed to or perceive to be in their common interest' (Weiss 2000: 797). Scholars such as Hyden, Court and Mease focus on 'participation, fairness, decency, efficiency, accountability and transparency' (Grindle 2010: 2).

Others have also used governance to refer 'normative concerns about what government should do', for example to ensure macroeconomic stability or provide basic services (Grindle 2010: 2). DFID, one of the leaders on governance programmes, has identified a series of 'expectations' about what governments should do. Some of these are: ensure voice, macroeconomic stability, poverty equitable growth, policies that address the needs of the poor, universal provision of basic services, personal and national security and accountability in government (Grindle 2010: 2).

James Rosenau, a US academic, defines governance as 'activities of governments, as well as many other channels through which commands flow in the form of goals framed, directives issued and policies pursued (Weiss 2000: 796). Another scholar, Grindle (2010: 2), has defined governance in relation to government or the public sector, and in this case it refers to 'institutional underpinnings of public authority and decision making'. According to Grindle (2010: 2), governance includes the institutions, systems, 'rules of the game', and other elements that influence how political and economic interactions are structured and how decisions are made and resources allocated. Hyden et al (2004) defines governance as how rules of the political game are applied. These rules can be formal or informal. Jenkins and Plowden (2006: 8) define governance as activities of government whether democratic or not (Jenkins and Plowden 2006: 8). International relations analysts and international civil servants have used the term to describe phenomena that relate to running of government. These selected definitions of governance amongst some of the development agencies and scholars suggest the complexity in its meaning and the various ways in which each agency uses it.

In the various definitions of governance there is a tendency to combine the qualities of the state and expectations about the kinds of policies that should be delivered. For instance DFID's emphasis is on both qualities and outcomes, while for OECD and UNDP the emphasis is on the qualities of the state. Such differences also impact on how governance performance is measured and what aspects are emphasized by individual agencies. The problem with these inconsistencies is that organisations such as DFID and OECD will formulate their international development policies based on their own understanding of good governance. With lack of uniformity on what the concept stands for or what elements are relevant to pursue or measure (whether

processes or outcomes), development agencies might find themselves pursuing diverse interests. This causes two problems. First, it leads to so many agendas being pushed on the developing countries, and often with little success as the ruling elites are faced with real pressure on where to begin and which aspects to prioritise. Second, it weakens the position of aid agencies to push for reforms since their interests are so divided. For example, one aid agency might view the country as being on the right path, while for another the same country might be off track. These challenges and several others are pursued in detail later in this section.

2.6.1   Good governance- the value judgment

The concept of good governance has emerged with relation to 'governance' in order to define positive features of a state, which is performing its functions well. Good governance has surfaced as an approach by western countries and development agencies to promote a package of western institutions such as separation of powers, free press, independent judiciary, pluralistic civil society and respect for the rule of law (Kelsall 2008: 1). Good governance represents a value judgment on how a political system is functioning within a particular state. Weiss (2000: 801) has argued that good governance is aimed at addressing two problems: 'the unrepresentative character of governments and the inefficiency of non market systems'. According to Grindle (2010: 1) the concept of good governance is good because:

> '..we would all be better off and citizens of many developing countries would be much better off, if public life was conducted within institutions that were fair, judicious, transparent, accountable, participatory, responsive, well managed and efficient. For millions of people who live in conditions of public insecurity and

> instability, corruption, abuse of law, public service failure, poverty and inequality, good governance is a mighty beacon of what ought to be..'

<p style="text-align: right;">*Grindle (2010: 1)*</p>

With this value judgment, good governance has appealed to many development practitioners and scholars. However, one of the results of this wide-ranging interest in the concept has been the stretching of good governance to address multitude of challenges facing developing countries:

> 'For those on the political right good governance has meant order, rule of law and institutional conditions for free markets to flourish. For those on the political left good governance incorporates notions of equity and fairness, protection of the poor, for minorities, and for women, and a positive role of the state. For..others found along the continuum from right to left the concept is attractive for its concerns about order decency, justice and accountability'.

<p style="text-align: right;">*Grindle (2010: 3)*</p>

The World Bank views good governance as the absence of 'personalisation of power', 'lack of human rights', 'endemic corruption and unelected and unaccountable governments' (Weiss 2000: 801). While for Cheema and Rondinelli (2007) good governance is seen as transparent, representative, accountable and participatory systems of institutions and procedures for policy making. Along the way proponents with various causes have joined the bandwagon of good governance to define what good governance looks like in practice:

> '..human rights community claimed..that countries with good governance respected human rights. Environmentalists argued that good governance meant effective stewardship of the environment and sustainability of development practices.

> Empowerment of women, community management of forests, selective affirmative action , land use planning, legal aid for the poor, anti-corruption measures and a variety of conditions came to be associated with good governance..'
>
> *Grindle (2010: 7)*

Grindle (2010: 6) has argued that good governance has provided an important 'fig leaf' for international development agencies to deal with the dilemma of intervening in the inner workings of government in developing countries. Good governance provided a 'technical' way of tackling issues around political institutions and relationships- such as corruption, accountability and leadership- that were seen as serious challenges to development and effective use of aid (Grindle 2010: 6). With its perceived benefits good governance has appealed to many. Yet, there has been very little analysis done in terms of what elements are critical at a minimum given the resource and time limitations faced by many developing countries. As it will be argued later, there is also little focus on the historical settings in the contexts where reforms are being pursued.

2.6.2 Multilateral and Bilateral agencies and the dominance of the concept – 'governance'

Weiss (2000) has provided a thorough account on the role played by the United Nations and other international actors in generating ideas about governance. Between 1960s and 1980s the world experienced a cold war between USSR and the west. According to Weiss (2000: 798):

> '…during the cold war government representatives of newly independent states were on the defensive within the UN and related international fora; they remained

untouched by the [growing] rich scholarly debate about the new political economy, social capital, and public goods. They interpreted virtually any serious scrutiny of their economic and social choices as a threat to their newborn and weak states. And they remained impervious to the international political economy of the 1970 and 1980s that emphasized public choice theory, rent seeking behavior, directly unproductive profit seeking behaviours and the new institutional economics..'

The new nations were also able to effectively play the East versus the West, and this helped them to deflect the criticisms by donors and investors whenever they hinted at shortcomings in economic and political management (Weiss 2000: 798). This might explain why the 1970s and 1980s saw one party dictatorship survive for long periods in many countries in Africa including Malawi, Zambia and Kenya. Any suggestions about what was wrong with economic and social policies in the developing and socialist bloc countries was viewed as being on the side of the opponent in the East-West wrangle (Weiss 2000: 798). Nations could easily play off the other side and therefore get support while still pursuing their own nationally determined policies. According to Weiss (2000: 798), the cold war helped to maintain the status quo in many countries as each side (East or West) was in need of allies and could not afford to lose them to the other side. These developing countries in Africa were easily accepted into the Organisation of African Unity (OAU) with no questions asked on 'who or whether the regime governed' (Weiss 2000: 798).

The increasing oil prices in 1973-74 and 1979 led to foreign exchange shortages and rising debt for many developing countries. This transformed the international development discourse with countries accepting 'intrusive structural adjustment programmes' in order access finance particularly from the International Monetary Fund (IMF) (Weiss 2000: 798). Even if countries were not borrowing from IMF they

still needed approval from the Fund in order to access funds from other development agencies. This role of the IMF has continued to the present.

According to Weiss (2000: 798), the arrival of Kohl, Thatcher and Reagan administrations changed the status quo and the Western rhetoric gained significant ground in the United Nations, World Bank and the IMF. Initially both IMF and the World Bank had refrained from trying to influence domestic policies. By 1990, the World Bank had taken a different position, which emphasized the role of political and institutional change in leading to effective economic reform (Weiss 2000: 799). Within the United Nations too there was a new orthodoxy, which emphasized aid and investment in exchange for economic liberalisation (Weiss 2000: 799). The rise to power of Mikhail Gorbachev in Moscow in 1985 transformed the international landscape. With the end of the cold war there was no longer 'a geopolitical counterweight' in the East to the Western demands for economic liberalisation and political democratisation (Weiss 2000: 799). Domestic policies came to the fore, and were increasingly analysed in relation to the development challenges faced by developing countries. According to Weiss (2000: 799), it became 'politically right' in international public policy forums to recognise the role of domestic policies in the economic challenges facing the developing countries:

> 'A discussion about the quality of a country's political and economic governance system became acceptable within international public policy fora….'

> *Weiss (2000: 799)*

Weiss (2000) has highlighted four factors that made this discussion possible. First, there were several regimes, which were considered illegitimate and were headed by

pariahs, for example Uganda's Idi Amin and Central African Empire's Jean-Bedel Bokassa. African countries had successfully lobbied for the international community's assistance in dealing with the two white majority governments in Rhodesia and South Africa. This helped to set precedence for the west to intervene in domestic policies of developing countries. According to Weiss (2000: 799) having done so, it was not logical for the developing countries to 'maintain that their own domestic affairs were out of bounds'. In addition, the end of the cold war suddenly removed the western attitude to turn a blind eye to some of the regimes in Africa as well as the incentives for the west to support authoritarian rule (Weiss 2000: 799). Secondly, there was a new wave of democratic reforms, which saw countries in Africa and Eastern Europe adopting civilian rule, elections and multiparty democracy. Developing countries realised that this was the only way to legitimise their rule and attract funding from the west (Weiss 2000: 799). Thirdly, there was a proliferation of non state actors- such as international non governmental organisations, transnational corporations and global media- and these exerted influence on what once had been almost exclusively matters of state policy (Weiss 2000: 800). Within the developing countries the number of civil society organisations grew:

> '..in short the economic and social policy is no longer the exclusive preserve of governments. Human rights advocates, gender activists, developmentalists and groups of indigenous people have invaded the territory of states, literary and figuratively..'
>
> *Weiss (2000: 800)*

The fourth reason is that since the 1990s UN's has increasingly intervened in domestic policies as a way of preventing future disasters actions. This has gone against the UN's own charter of sovereignty. According to Weiss (2000: 800), events

such as those in Somalia, former Yugoslavia and Rwanda opened the door to external scrutiny over domestic policies that led to massive displacements and even genocide. Intrusion into domestic policies was considered as crucial for the UN to prevent any future disasters. This was necessary because the cost of cleaning up the disasters such as armed conflicts was considered much more than fixing the way politics was done.

As democracy spread to countries in Latin America and Eastern Europe in the 1980s and 1990s political scientists begun to focus increasingly on the nature of regimes in those countries (Grindle 2010: 4). In addition, political scientists were faced with questions around the causes of lack of development in Africa, along with 'brutal and autocratic governments' (Grindle 2010: 4). Increasingly, research focused on the role played by institutions in development. More opportunities for research also emerged to study 'constitutional structures, electoral and party systems, political corruption and the management of the state' (Grindle 2010: 4). Rapidly the 1990s emerged as the era of bringing back the role of the state. It is in this context that new literature emerged on a new kind of developmental state, the 'democratic developmental state'. Leftwich (1998) defines a developmental state as a transitional form to the modern state, which emerged in late developing societies from the nineteenth century to the present. The democratic developmental state adds the presence of democracy as a pre-requisite to the economic development of a country. According to White (1998: 21), donors are supporting democratisation as a powerful stimulus to society because it supports market led development and carries potential for more efficient, accountable and open government. Partly, this push is as a result of developmental success of a small group of democracies in the 1980s and early 1990s such as Botswana, Malaysia and Mauritius (Robinson and White 1998: 1). With increasing democratisation the

role of citizens, elections and civic organisations to push governments to be 'good' gained prominence (Grindle 2010: 5).

Corruption as one of the manifestations of 'bad governance' helped to generate popularity around governance as multilateral and bilateral development agencies begun talking about how to address it (Grindle 2010: 5). According to Grindle (2010:5), this was led, in part by researchers at the World Bank and it became a major focus for other development economists. The Bank's position was that corruption was the 'single greatest' barrier to economic and social development (Grindle 2010: 5). Characteristics such as accountability and transparency emerged as potential strategies to address corruption (Grindle 2010: 5).

2.7   The problems with the concept- governance and good governance

To begin with, there are so many causes that have been (and continue to be) added to the good governance agenda. Since for some donors good governance has become a political and economic conditionality with regard to aid all these multiple causes drastically increase the number of preconditions that developing countries have to meet in tackling the good governance agenda (Grindle 2010: 7; Weiss 2000: 801; Beekers and van Gool 2012). According to Grindle (2010: 1), good governance, which is a good idea in itself, has 'outpaced its capacity to deliver':

> 'It calls attention to the institutional underpinnings of economic and political management. Yet this laudable idea has become conflated with the capacity to generate growth, alleviate poverty, and bring effective democracy to the people. Rather than discarding it because it has become inflated, scholars and practitioners should instead seek a reasonable understanding of what good governance can deliver- and what it cannot…'

According to Weiss (2000: 801), the list of other attributes and culture to accompany them is formidable:

> '..universal protection of human rights; non discriminatory laws; efficient, impartial, and rapid judicial processes; transparent public agencies; accountability for decisions by public officials; devolution of resources and decision making to local levels from the capital; and meaningful participation by citizens in debating public policies and choices.'

With these diverse attributes there is a risk that the 'development agenda' may be overwhelmed beyond the capacities of most countries. The reality is that there are so many challenges that developing countries face. There are many valid questions to be asked. Where do these countries begin, and who will determine the order of response? Where should they prioritise the scarce resources? Who should they listen to first (amongst all donors with varying agendas)? When aid is a precondition, how do they mobilise their own resources to address the many problems they have?

The opposite side of the coin is that the focus on so many interests might override some of the key elements that must be supported at a minimum for reforms to succeed. According to Hyden et al (2004: 16), one of the problems with good governance is that there are little or no distinctions made as to what is important for reforms to succeed. Manor (1998) has identified six elements that must be balanced in the implementation of reforms: (i) top-down and bottom up initiatives, (ii) formal and informal politics and institutions, (iii) self interests, personalised politics and institutionalization, (iv) order and conflict, (v) continuity and innovation, and (vi) confidentiality and transparency. However, even this list is a long one, and donors and

other agencies may not have the time or resources to address all of them at once. Worse still, most bilateral and international developmental agencies are not entirely aware of these elements, and tend to be selective in pursuing other aims without thinking of the question of balance (Manor 1998: 126). The key question is whether there is consensus on the most essential elements amongst proponents of good governance.

On the other hand, there is also a narrowest perspective by some development agencies that emphasize a few elements such as a judiciary, parliament and elections, all of which are based on the western democratic state. Surely good governance is more than the existence of institutions and processes. There is need to capture the complex reality of governance, which encompasses all the structures and processes for determining the use of available resources for the public good of a country (Weiss 2000: 801). Some agencies also tend to shy away from the politics and instead take a more technocratic approach to reforms. For instance, the World Bank removed 'politics' in its official charter and instead it tended to focus more on public sector management, the reduction of transaction costs and contract enforcement (Weiss 200: 804). In contrast, the UN and UNDP focus on provision of tools of democracy and freedoms. Since early 1990s UNDP begun moving away from traditional public sector management (especially civil service reform) and modest decentralisation programmes to addressing such sensitive governance areas such as human rights, legislative support, judicial reforms and corruption (Weiss 2000: 804). Responding to the growing number of democracies UNDP has emphasized electoral assistance. There are new frontiers to governance work such as capacity building of civil society and private sector, which reflect the growing understanding of the term to encompass both public and private sectors. Weiss (2000: 804) has argued that the UNDP

approach to governance will continue to differ from that of the Bretton Wood Institutions as long as they view good governance in terms of strict political and economic conditionality.

The relationship between democracy and good governance is not straightforward and this casts doubts on whether these reforms are enough for developing countries to turn their tables around on the path to development. Robinson and White (1998) have also argued that so far efforts to show conclusive relationship between democracy and development have proven either 'empirically suspect or theoretically deficient'. South East Asian countries have shown that it is possible to have relatively good governance with very little democracy and to achieve high levels of economic growth (Grindle 2010: 10). Countries such as China and Vietnam may score low on a variety of measures of good governance, for example the World Governance Indicators and the Ibrahim Governance Index. Yet, these countries have shown good performance on economic growth. In fact, they may score poorly on areas such as property rights, or corruption, some of the key elements of good governance for some development agencies such as the World Bank. Bangladesh, one of the countries, which scores poorly on the Transparency International's Corruption Perception Index (CPI), has recently gone through several years of growth, rates in excess of 5% per year (Grindle 2010: 9-10). In contrast, many countries in Latin America have democratic institutions and yet show high rates of corruption, low levels of transparency and other dimensions of bad governance (Grindle 2010: 10).

Good governance is also not always consistently linked to good public performance. Grindle (2010) has used the example of the Hurricane Katrina to demonstrate massive failures in the United States, a country that can score highly on any of the governance measures that are used today. The US economy is well managed and for most part the

government is transparent and accountable to the citizens (Grindle 2010: 10). Yet, the response to Hurricane Katrina in 2005 showed profound leadership failure at national and local level. According to Grindle (2010: 10), institutions, systems and organisations failed the poor, racial minorities and the marginalised and this underscores the failure of governance. In contrast, Pakistan responded quickly to a massive earthquake in 2005 despite its low rankings on governance (Grindle 2010: 10).

Another criticism of good governance is that its proponents have ignored the historical settings in the countries where the concept developed. What role did the historical experiences of such countries play in the evolution of governance? How did the countries manage to improve? How long did it take for these countries to improve? How long should African countries be given to develop good governance? Even with ambiguity on these and other questions the work on good governance has continued, 'outstripping knowledge about how institutions develop over time' (Grindle 2010: 12). Hyden (2007: 217) has argued that in most places where reforms are being pursued it is donors who are the 'agenda setters', and often consultants and advisers with little knowledge of social and political context design packages with little or no regard for their feasibility in the context of the African neopatrimonial state. There are also demands placed on countries to show results within a short period, and in some of these countries reforms have overwhelmed the national leadership (Grindle 2010: 12). With so many development agencies and different emphasis on what constitutes governance, countries have to deal with a multitude of issues.

As an ideological concept good governance is based on western historical experience, and it fails to take into account (let alone represent) the political reality in many

developing countries including in Africa. In these states the strict separation between public and private spheres may not exist. Instead, personal relationships and favouritism are normal aspects of every day's practices of governance (Beekers and van Gool 2012: 4). The personalised rule has its origins in the traditional moral economies of patron-clientelism: exchange systems in which dominant patrons provided livelihoods and/ or political protection to the poor in exchange for loyalty and/or labour (Beekers and van Gool 2012: 4). According to Beekers and van Gool (2012: 7), traditional moral economies of patronage can be considered as effective and responsive since they entail relations of exchange in which both parties gain and in which both find 'satisfaction of needs'. They are accountable to the extent that clients are able to withdraw their support for certain patrons when the latter fail to provide the required protection and support (Beekers and van Gool 2012: 7). What appears to be 'bad governance' for the west might actually be 'good governance' in those states where political clientelism or patronage is a reflection of widely shared cultural beliefs about good and legitimate governance (Beekers and van Gool 2012: 25).

According to Grindle (2010: 13), weak formal institutions are 'emblematic of and sometimes inseparable from poor and developing countries'. Poor countries are likely to have weak or non-existent institutions for making public decisions, distributing resources and protecting citizens. Hence, one of key challenges with good governance agenda is that is tends to place the burden on countries with limited ability to respond. Yet, the political elites who run the affairs of government in these countries are not always interested in improving governance. This is the case because they are threatened by any actions that can easily reduce their powers and limit their access to rents and resources (Grindle 2010: 13). In such an environment capture of reforms by dominant elite groups is inevitable (Campos and Hellman 2005: 240). Goetz (2009)

has identified two types of incentives that may drive or hinder reforms. These are: (i) incentive to maintain (or threaten) existing patterns of support based on patronage system, and (ii) incentive to generate new sources of support or political alliances. Political actors exercise rational choice in making decisions about whether or not to surrender their patronage and methods (Goetz 2009: 4; Olowu and Wunsch 2004: 9; Goetz 2007; Levy 2009: 98). Resistance will emerge where reforms threaten access to support or resources for the political elites. According to North et al (2009), reforms in natural states benefit coalition of powerful elites. Hence, when reforms are captured it is usually the case that this has been done to benefit ruling elite groups and their supporters.

Kelsall et al (2010: 6) has argued that the good governance arrangements are not well suited for 'growth promoting rent management'. In fact, new research on Asian economic success suggests that countries in this part of the world rarely followed the kinds of policies proposed under the banner of good governance (Kelsall 2008: 1). These successful economic models in Asia did not adopt wholesale the western ways of doing things as is being promoted under good governance. Rather, they selected certain elements of western experience, which they combined with their own indigenous strengths, thus creating distinctive new economic models of development (Kelsall 2008: 1):

> 'They intervened in the market, have got prices wrong, they have engaged in rent seeking and corruption, and have used clientelist practices, they have eschewed multiparty democracy and so on'

> *Khan and Sundaram (2000) in Kelsall (2008: 1)*

As Kelsall (2008: 1) has argued, the experience in Asia should not come as a surprise since the western states themselves developed 'step wise from patrimonial and neopatrimonial foundations'. Hence, good governance approaches driven by western countries and development agencies ignore both the importance of indigenous knowledge and strengths as well as a crucial element for reforms to materialise- 'time'.

Another problem that good governance presents is that it prescribes 'strict separation' between private and public spheres and obstructs use of political power for primitive accumulation (Kelsall et al 2010: 6). According to Kelsall et al (2010: 6), this separation also precludes use of corruption and patron-clientelist networks to make transfers that if used effectively can contribute to state stability and nation building. In addition, the rule of law may be deficient in addressing those types of corruption that are 'growth retarding in states' where the legal sector is weak (Kelsall et al 2010: 6). As Khan (2000) has argued, under certain conditions a strong centralised, patrimonial state can direct a route towards achieving an acceptable, growth promoting balance. On the other hand, centralisation of rents is not adequate to stimulate growth. This 'rent creation, rent seeking, rent distribution and rent utilisation must be oriented for the long term' (Kelsall et al 2010: 7). In this regard, countries that perform well are those that are willing to forego consumption' in the short term in order to maximise investment in the future (Kelsall et al 2010: 8).

2.7.1 Donors, governance and neopatrimonialism- poor results so far

Despite high levels of donor support and intervention the story in many African countries is less impressive. Economic growth has been slow to come by and most African countries do not appear to be moving in the same direction as the countries in

South East and East Asia have done in recent decades (Kelsall 2008: 1). According to Cammack (2007b: 599), both campaigners and imported government specialists have been disappointed to see how difficult it is to build democratic and accountable states in sub Saharan Africa.

So why have donors not succeeded in pushing through this reform agenda? O'Neill (2007:12) suggests that African neopatrimonial states have two ways of responding to the external push for governance from donors. Either the policy reforms will undermine the neopatrimonial practices or the existing political system will adapt to the new measures in a way that still allows political elites and their followers to maximise benefits but under modified system (O'Neill 2007: 11). The adaption to reforms is the most common response by neopatrimonial states in Africa with reforms being captured or modified with a view to promote wide scale extraction of rents for elites and their followers. Hence, according to van de Walle (2007) most regimes are characterised by a 'partial reform' syndrome.

The modification or capture of reforms allow the patrons, political elites and their followers to access donor funds which many countries rely on for delivery of public services and goods. O'Neill (2007: 11) suggests that due to the economic crises in most countries African leaders know that showing some kind of reform is essential in order to attract external support. However, as it has been argued such institutional reforms, for example public sector reforms and others, have been shaped by the patrimonial logic (O'Neill 2007: 11). This logic has also penetrated the implementation of decentralisation, as part of institutional reform in Africa. The push for certain policies under good governance has led to what Kelsall (2008) characterises as 'obscurantization':

'The formal apparatus of government that is put on show for western dignitaries and donors is a little more than a facade. The real business of politics takes place elsewhere…'

Kelsall (2008: 10)

Such countries display all the outward signs of democratic states- they hold elections and have democratic institutions, which on paper may assume the functions as in the west (Cammack 2007b: 599). Scholars such as Reno (1995) and Olivier de Sardan (2006: 7) have referred to this space (beyond the reach of the western donors) as the 'shadow state'. This shadow state allows the African elites to apply reforms selectively, and maintain or develop rent-seeking opportunities, and to still enjoy membership of the international community (Kelsall 2008: 10). In some cases these benefits trickle down to the communities too. Cammack (2007b: 607) has contended that donors can do little to enforce change since they are not privy to this 'shadow state'. The effect of this 'obscurantization' is poor transparency. According to Kelsall (2008:10), if local people do not have access to information in terms of how much money is going to local councils, local cooperative societies, local schools and the like, or how this money is used and where it goes, then it is extremely difficult to assess performance to hold local officials to account (Kelsall 2008: 10). This is one of the challenges that neopatrimonial practices and norms pose for decentralisation. As a result, political elites can siphon huge amounts of resources, but with some political largesse and well selected words they can paint themselves as good leaders to local populations who do not know otherwise (Kelsall 2008: 11).

So what is the role of donors in stimulating reforms? On one hand, the continued 'pumping' of money into neopatrimonial states legitimises those states since they can use the resources to service the patronage and client networks as well as provide some

resemblance of public services and goods. Cammack (2007b: 607) has argued that aid helps to keep such regimes in power. Yet on the other hand, it has already been pointed out that donors lack access to the 'shadow state' where real decisions are made. Donors also lack the legitimacy, staff or power to enforce difficult to accept changes (Cammack 2007b: 607). History has shown that it took decades for the countries in the west to reach where they are today. In the current environment no donor is willing to wait that long for reforms to materialise. This is logical given the limited resources, staff, and time. However, the push for reforms to happen quickly ignores this obvious challenge in terms of time, as well as other factors such as the nature of African societies, and the interests of ruling elites with regard to those reforms. Cammack (2007b: 607) suggests that one thing that donors can do is to try and understand and support the historical forces that can lead to development.

2.8   Decentralisation: Definition and Forms

Decentralisation, especially one of its forms-'devolution', is one of the many elements that have been added to the good governance agenda by some development agencies and scholars since the early 1990s. The new wave of decentralisation propounds links to better local governance and efficiency in public service provision. This section reviews the definition and various forms of decentralisation, and examines its relationship (particularly of devolution) to the good governance agenda. It also examines the effect of neopatrimonialism on decentralisation in Africa.

Decentralisation is the transfer of authority, responsibilities and resources from central government to lower levels of government administration (Cheema and Rondinelli 2007: 1, Oxhorn 2004: 4, and Crook and Manor 1998: 6). By decentralising central governments cede powers to actors and institutions at lower

levels within political-administrative and territorial hierarchy (Ribot 2001). Decentralisation changes the nature and structure of relationship between central and local actors with the later gaining powers and resources, and the former realigning their roles to support decentralised entities. In almost every case decentralisation is initiated by the centre taking a decision to transfer powers. According to Litvack et al (1998), this transfer of responsibilities between tiers of government is underpinned by several fiscal, political and administrative instruments. Thus the political decision to transfer powers can only translate into actual powers being shifted if sub national governments have fiscal, political and administrative capacity to manage new responsibilities (Litvack, Ahmad, and Bird 1998: 6). The most widely used distinction for decentralisation has been provided by Rondinelli and it categorises decentralisation into three elements as follows: deconcentration, delegation and devolution. These three forms are discussed next.

2.8.1 Deconcentration

Deconcentration involves reallocation of agents of higher levels of government to the local arena (Crook and Manor 1998; Manor 1999). Under this form of decentralisation the central government is merely delegating some authority, responsibilities and control over resources to its agents at lower levels of government. Local administrations remain hierarchically dependent on central authority, for instance in terms of appointments, salaries, assignments and policies (Manor 1999; Crook and Manor 1998: 6). Amongst the criticism of this form of decentralisation is that rather than giving up some powers it allows the central government to consolidate its position at the local level. Since local bureaucrats are the ones who receive powers under deconcentration, they are more interested in serving their masters at the centre to whom they are accountable (Mawhood 1983: 2; Manor 1999: 6). Deconcentration

has been a prominent form of decentralisation in many unitary states in Africa, Asia and Latin America in the 1970s and 1980s where the focus has been to work with field offices of central government to deliver national development programmes and improve efficiency and effectiveness of service delivery (Litvack, Ahmad, and Bird 1998: 4; Rondinelli, Nellis, and Cheema 1984: 11). Many of the failures of past decentralisation efforts have been linked to deconcentration. Deconcentration is criticised for enabling the state to centralize rather than decentralise authority.

2.8.2 Delegation

Delegation occurs where central government transfers responsibility for decision making and administration of public functions to local governments or semiautonomous organisations that are not wholly controlled by the central government but are accountable to it for delivery of certain functions (Litvack, Ahmad, and Bird 1998: 6). These organizations have a lot of decision-making clout. Litvack et al (1998: 5) has characterised this form of decentralisation as 'principal-agent' relationship between central government and local government. Delegation has led to transfer of responsibilities from central government to public corporations, regional development agencies, parastatal organizations, and semi-autonomous project implementation units. Delegation is seen as a way to improve efficiency and deliver public goods through a more 'business-like' organisational structure that resembles private sector (Rondinelli, Nellis, and Cheema 1984). Delegation has been used extensively in Africa for example in activities such as infrastructure projects (highways, dams, railways, transportation systems and hydroelectric facilities), and to organize and manage large-scale agricultural activities such as tea-raising in Kenya and cotton growing in Sudan (Rondinelli, Nellis, and Cheema 1984: 16).

2.8.3 *Devolution*

Devolution involves transfer of responsibilities to local governments that elect their own mayors and councils, raise their own revenues, and have independent authority to make investment decisions (Litvack, Ahmad, and Bird 1998: 6). These local governments follow democratic practices such as electing their own 'councils' (Manor 1999: 6). Devolution has been attempted by few developing countries during the past three decades. Those making the attempt have claimed to transfer broad range of activities to local governments (Rondinelli, Nellis, and Cheema 1984: 21). This form of decentralisation was tried in several countries in Africa in the 1960s and 1970s. For instance, Nigeria devolved wide range of statutory functions to local governments in 1976. In Sudan, significant powers were also devolved to provincial governments in the 1970s (Rondinelli, Nellis, and Cheema 1984: 21). Proponents argue that it can lead to improved participation of citizens in local decision making in order to better match public goods and services with local preferences. Improvements in governance are seen as 'stemming from democratic local governments in which citizens exert greater influence on public decision making' (Crawford and Hartmann 2008: 12). Any other form of decentralisation is seen as lacking in terms of promoting political accountability (Ribot 2002; Manor 1999: 7; Azfar et al. 2004: 19). This accountability expectation might be misplaced in a number of cases. According to Crawford and Hartmann (2008: 15) powers can be decentralised to 'actors who are not accountable to their constituents or who are accountable only to themselves or to superior authorities within the structure of government'. Still, success in achieving many of the rationales associated with decentralisation has been linked to the extent to which the 'devolution model' is implemented (Smoke 2003).

Devolution has emerged as a dominant form of decentralisation since the 1990s. It has become part of the solution to address the inefficiencies of the centralised state in Africa. This centralised government was based on 'hierarchical deconcentration' associated with authoritarian/ dictatorial political regimes (Brosio 2000: 2). The heavily centralised regimes combined with non-democratic political frameworks brought in an increasingly unaccountable and corrupt system (Brosio 2000: 2). Deconcentration has been swept under the carpet because it tended to consolidate rather than reduce centralisation, which is why it was favoured by highly centralised states.

In practice, this categorisation of decentralisation into these three distinct forms is often difficult because various forms of decentralisation can be carried out simultaneously at any given time (Manor 1999: 5; Azfar et al. 2004: 20; Ayee 2008: 1; Cheema and Rondinelli 2007: 2; Litvack, Ahmad, and Bird 1998: 4). These classifications have become tools for making normative judgments as to what is real decentralisation, and what is not (Conyers 1989: 17). Deconcentration and devolution provides a good example of such complexities. As Conyers 1989: 17 has pointed out the distinction between these forms of decentralisation is based on British and North American systems of government where the difference between the two can easily be identified. In many developing countries in Africa this is not always the case and it has led to long debates about whether reforms such as those introduced in Ghana (1971), Tanzania (1972), and Zambia (1980) should be viewed as devolution or deconcentration since they had elements of both (Conyers 1989: 17).

2.9   Decentralisation and good governance

As it has been pointed out earlier devolution (decentralisation) is one of the elements that have been added to the good governance agenda by some development agencies and scholars. Ribot (2001, 2002), Visser (2005: 269), Manor (1999: 14) and Olowu and Wunsch (2003: 49) have pointed out that this new wave of decentralisation in Africa that started in late 1980s and early 1990s is linked to the pursuit of good governance, democracy and a new kind of developmental state in Africa. Decentralisation is part of reforms which are aimed at promoting structural changes in state institutions particularly political institutions that manage economic policy and oversee implementation (Goetz 2007: 404). It is an attempt to 'get politics right' (Leftwich 1996), promote 'bottom up approaches' (Hyden, Court, and Mease 2004), and 'institutionalise participation of the poor in development strategy' (Webster 2000: 316) in order to support a new kind of 'democratic developmental state'. Decentralisation has become a strategy of governance that aims to bring government closer and make it more easily influenced in order to serve local interests (Bonfiglioli 2003: 41; Crook and Manor 1998: 1; Crook and Sverrison 2001: 1). Donors are embracing decentralisation as part of good governance agenda aimed at strengthening local governance (Bonfiglioli 2003). According to Inman and Rubinfield (1997) this link between decentralisation and more accountable government is a more recent phenomenon.

Like the good governance agenda decentralisation has also been stretched by those who support it to refer to a wide range of benefits that can result from its implementation. For instance at process level there is greater focus on bringing government closer to the people and making it more easily influenced in order to serve local interests (Bonfiglioli 2003: 41; Crook and Manor 1998: 1; Crook and Sverrison 2001: 1). Decentralisation is also expected to improve quality, effectiveness

and efficiency of local administration and public service delivery; and the manner in which power and authority is exercised at local level (Bonfiglioli 2003: 19). For actors such as the World Bank and IMF decentralisation promises to address multiple issues of restoring markets, strengthening democracy and promoting good governance (Cheema and Rondinelli 2007: 4). DFID (2002) has argued that decentralisation can ensure that decisions are made closest to a local constituency, and such decisions can better reflect the preferences of citizens. The United Nations Capital Development Fund (UNCDF) which is one of the ardent supporters of decentralisation programmes around the world has emphasized the role of decentralisation in improving governance, which in turn has an impact on poverty reduction (Kullenberg, Shotton, and Romeo 2007).

Decentralisation is seen as one ways to allow participation of the public in decision-making. Bardhan and Mookherjee (2006: 4) and Cheema (2007: 171) have argued that decentralisation is an important part of participatory democracy in developing countries whereby citizens have an opportunity to present their views and preferences to elected officials who are accountable for their performance to the citizens. Some scholars such as Kauzya (2007) have used the term 'decentralised governance' to refer to a form of decentralisation that will lead to greater participation of communities in problem analysis, project identification, planning, implementation, oversight, and ownership.

The new wave of decentralisation (pursued under the banner of good governance) has largely been driven by ideological arguments. The relationship between decentralisation, governance, and development remains a matter of debate and controversy (Campos and Hellman 2005: 237; Litvack, Ahmad, and Bird 1998; Brosio 2000). Decentralisation is one of the 'good things' that African countries are

required to pursue in order to ensure efficient delivery of public goods and services by the state. As Hyden (2007) has argued that Africa has become a 'graveyard' of reforms with various donors supporting a number of agendas in the name of good governance- and decentralisation has emerged as one of the reforms. These reforms have often ignored the nature and limitations of the states in Africa, including the Malawi state.

In Scandinavian countries where decentralisation succeeded reforms were not imposed from above (Hyden 2007). Rather they evolved over time from bottom up and were largely shaped by social and economic transition that brought people together in urbanized communities and social movements (Hyden 2007: 212). In these states there was an ongoing struggle between civil society and the state. The victory of civil society dismantled the state patronage system that had been in place (Hyden 2007: 212). In contrast to the Scandinavian countries many of the reforms in developing countries are centrally driven and are pushed by donors. The neopatrimonial characteristics of the state and the weaknesses of civil society in such settings may negatively affect decentralisation. The result is that decentralisation may actually work against democracy as reforms are easily captured by 'corrupt' non-accountable elites (Brosio 2000: 4).

2.9.1 New decentralisation, and the 'allocative efficiency rationale'

According to Litvack, Ahmad, and Bird (1998), Ahmad et al (2005), World-Bank (2008: 3), Manor (1999: 38), and Crook and Sverrison (2001: 1) 'allocative efficiency' is the most common theoretical tradition for pursuing decentralisation. The main argument here is that since preferences are likely to vary across jurisdictions, local government is best placed to deliver goods that match local demands. It is

assumed that local people are able to exert pressure on actors at the local level, and that local representatives can exercise the necessary supervision over local bureaucrats (Azfar et al. 2004: 23). Public choice proponents view 'effectiveness' as ability to 'respond' to local preferences. Responsiveness is defined as attainment of congruence between local preferences and public choices such that activities of the institution are valued by the public (Crook and Sverrison 2001: 4; Bardhan and Morkherjee 2006: 6).

The allocative efficiency argument emanates from the responsibility of the state to deliver social services such as health, education, and water and sanitation. The World Bank has argued that in many developing countries the state is failing to provide such services due to allocative inefficiencies (Ahmad et al 2005). One of the underlying problems is centralisation and this has negative impact on efficient allocation of resources. This view that centralisation is a problem is based on the critique of economic centralism, especially central planning (Campos and Hellman 2005: 237). With respect to this intellectual tradition the allocative efficiency is achieved because local government is a smaller jurisdiction and this presents informational advantages for leaders. Allocative efficiency is also linked to existence of elected representatives who are accountable to citizens within the local government geographical territory. In the current reforms the allocative efficiency arguments have been reinvented and democratic decentralisation is considered more appropriate to lead to greater allocative efficiency. In this regard, the ability of local governments to deliver services has been tied to extent to which institutions of democracy such as elections exist at local level. Thus, good governance at the local level (with institutions of democracy) is aimed at ensuring allocative efficiency since the accountability lines are shortened and citizens are able to take action on leaders who are not performing.

Although the World Bank's strategy on governance in Africa includes focus at intermediate levels of government and devolution of powers and responsibilities in client countries (see: World-Bank 2008: 7-8), in practice its work on decentralisation is more focused on this rationale to strengthen service delivery. The World Bank has argued that decentralisation is one of the key institutional mechanisms to improve service delivery. Therefore, the emphasis for the World Bank and IMF is on fiscal decentralisation in order to improve the allocative efficiency by bringing citizens closer to decision making and giving them chance to determine how public resources should be prioritised (World Bank 2008: 3). From the point of view of the World Bank, fiscal decentralisation is also attractive because under certain conditions it can strengthen accountability. This is because citizen participation, monitoring and control of local governments are relatively easier at the local level (World Bank 2008: 3). Yet the World Bank has also acknowledged that so far reforms have yielded mixed results. There have been some successes in countries such as Bolivia where there was dramatic shift in allocation of public resources away from infrastructure and into social services. But, in other countries reforms have led to more regional inequalities and capture of public resources by local elites (World Bank 2008: 4). Empirical evidence to support efficiency and responsiveness arguments is also lacking. Studies done in countries such as Uganda, Philippines, Brazil, Argentina, and Mexico have showed that government responsiveness has been hampered by increased rent seeking, waste, inefficiency, corruption, and centralised tendencies (See: Oxhorn 2004: 14; Azfar et al. 2004:25; Mizrahi 2004: 50).

2.10   Neopatrimonialism and decentralisation

The success of decentralisation (especially devolution) is dependent on the extent to which balance is achieved between appropriate central control and local autonomy (Rondinelli, Nellis and Cheema 1984: 28). Mwaikusa (1994: 59), Rondinelli, Nellis and Cheema (1984: 28) refer to an optimal balance that reforms should strike between centralisation and decentralisation. In an environment (such as in some neopatrimonial states in Africa) where central interests of the ruling elites are to maintain control over power and access to state wealth such balance is difficult to achieve. Conyers (1989) has argued that centralised tendencies are unavoidable given that reforms emanate from the top. What would be in the interest of big men/women and their allies to transfer powers and lose control over resources, which may be essential to secure loyalty and support? It is not surprising that most of the reforms in Africa continue to suffer from 'direct central control over local choices and resources' (Wunsch 2001: 279). As Conyers (1989) has argued no government (especially neopatrimonial state in Africa) is likely to give away power without proper incentives for doing so. Since decentralisation reforms (like other governance reforms) may be part of aid conditionality or other forms of support, central elites may initiate or accept them because they believe that they can manage or manipulate the reforms (Manor 1998: 129). Rather than give away power, Ribot (2001) has argued that many of the reforms in Africa are aimed at enabling the centre to penetrate to the local level. The key objective of ruling elites at the centre is to ensure that local actors serve central interests. According to Crawford and Hartmann (2008:16), 'the political will of national elites to implement devolution seriously cannot be taken for granted'. In a number of cases, the national elites might have accepted externally influenced reforms in order to please donors while remaining confident that they will be able to maintain control over resources. National elites have the 'veto power' to block or

manipulate reforms and this is one of the key challenges to decentralisation (Crawford and Hartmann 2008: 16).

Generally, in the African neopatrimonial states the patrons (big men) are threatened by public policy reforms such as decentralisation (devolution), which seek to transfer significant powers and resources to the local level. Cammack (2007b: 604) has argued that devolution is an 'anathema' to big men. As a result they will usually institute changes in order to ensure that people in key positions, for example mayors and district commissioners, are answerable to the centre. Crook (2003) has contended that political elites have used decentralisation to renew or consolidate the influence of the ruling party at the local level, or to deflect pressure in the face of pressures for multiparty forms of governments. In this regard, central patronage systems penetrate the local level and this provides opportunities for capture and corruption in the context of weak accountability mechanisms (O'Neill 2007: 8). The interests of the political elites capture or distort the way reforms are implemented, and determine who gains and who loses both at central and local levels.

In a study of decentralisation in Uganda, Cammack et al (2007) has pointed out that the interests of the 'big man' president Museveni undermined reforms during his bid for a third term in office. Initially local authorities paid District Chairpersons. However, due to disparities between resource rich and resource poor districts some District Chairpersons were poorly paid. The centre, in trying to bring equity, started paying salaries for the District Chairpersons directly. What this has done is to strengthen the link between these officials and the centre. Cammack et al (2007: 37) has noted that the District Chairpersons and members of their executive committees who are directly paid by the centre have little or no interests in serving the needs of the local authority, for example through maintaining or collecting taxes. Museveni

also re-centralised the appointment of Chief Administrative Officers (CAOs). This means that district politicians no longer recruit CAOs locally. The justification for this change was that it would protect the civil servants from the pressures exerted by local politicians (Cammack et al 2007: 37). However, the result is that the centre now has more control and the CAOs are less inclined to serve local interests as opposed to central demands.

Similar to Uganda, in Ghana Crawford (2008) observed that decentralisation reforms under President Kufour were undermined by political control which was exercised through presidential powers of appointment. According to the 1992 constitution, in Ghana the president appoints all the District Chief Executives (DCEs). The DCE is the most powerful person in the District Assembly system and acts as the political and administrative head. District administration employees are answerable to this DCE and not to the Assembly (Crawford 2008: 112). Because the president appoints them, DCEs often act in ways that show loyalty and support to the centre (Crawford 2008: 131). President Kufour and his National Patriotic Party (NPP) used the presidential powers when he came to power in 2001 to terminate the contracts for all the 110 DCEs in the country. In their place he appointed new ones who had close links with the ruling party (Crawford 2008: 131). In Burkina Faso the mayor acts as an administrative head as well as the representative of the state in the commune (Alvergne and Latouche 2010: 472). Such is the influence of the centre on the local arena. This influence extends the reach of the centre to the local arena and ensures that key policy and resource decisions made at local level reflect central interests.

Pursuit of populist policies by some big men in Africa can also undermine the effectiveness of local governments. These policies are aimed at securing support from the masses and some of these can have negative impact on the functions of the local

governments. For instance in Uganda, Museveni suspended the graduation tax paid by adult men and women at district level. The graduation tax was a source of revenue for local authorities. During elections the opposition had promised to end this tax and their promise seemed to be gaining ground with a lot of people in Uganda. Museveni hijacked this agenda and suspended the collection of graduation tax. According to Cammack et al (2007: 37), while this might have won him votes it removed a source of revenue for local authorities and failed to replace it with other viable means. Another of Museveni's populist policies has led to creation of more districts to please local political elites. Cammack et al (2007: 47) has pointed out that more districts were created without due legal process or assessment of their viability. This increase in the number of districts validates replication of neopatrimonial logic at local level and how local elites were also able to instrumentalise reforms processes in their competition for state resources (Cammack et al 2007: 47).

As it has argued earlier big men are threatened by decentralisation because it diverts some of the resources to the local level. These resources are vital for 'big men' to accumulate private wealth as well as to exercise patronage with their followers. It is not surprising that many decentralisation reforms are characterised by inadequate financial resources to the local governments. The big man and other ruling elites continue to employ centralised development projects since this allows them to exercise patronage- to accumulate wealth and to reward their supporters. Wunsch (2001: 278) has noted that most central governments control the capital investment budgets and this erodes the powers of the local governments. Where resources are transferred from the centre to the local, they are usually in the form of conditional grants. Wunsch (2001: 284) has pointed out that conditional grants and transfers are the primary sources of funding for local governments in many countries including

Botswana, Uganda, Zimbabwe and Tanzania. In Ghana up to 85% of the funds at district level are not controlled by District Assemblies and this has undermined local planning and budgeting (Crawford 2008: 113). Conditional grants make it possible for the priorities of patrons and those of ruling and bureaucratic elites to be implemented at the local level. Wunsch (2001) has referred to this as 'recentralisation'. In this manner the local development planning processes are rendered useless and local priorities often represent doctrines, personal and political interests of the centre (Wunsch 2001: 278). The powers of local governments to mobilize revenue tend to be limited.

The network of the 'big man' reaches far and wide into the local arena. As it has already been pointed out dominant patrons in Africa (as the examples of Uganda and Ghana have shown) exercise political control over the local arena through presidential appointment of top bureaucrats in the district. Alvergne and Latouche (2010: 467) have argued that in a majority of African countries local officials are still named by the centre. Other local elites such as political actors and customary authorities are also co-opted by the centre. Wunsch (2001: 278-279) has contended that these local elites (with ties to the centre) manipulate distribution of local benefits to suit their own needs. In this regard, they act as 'small big men/ women' to the local population. These local actors exercise clientelism, and capture reforms, which allow them to shape their constituencies to their advantage by selectively providing public services and other benefits (Campos and Hellman 2005: 237). This clientelism can lead to inequalities in provision of public goods and services as political actors at local level favour one group over others.

Neopatrimonialism is also evident in the manner in which political elites at the centre continue to create discretionary funds that weaken local governments further. In

Malawi, Zambia, Uganda, Kenya, Tanzania and other countries constituency development funds (CDF) have been set up by the centre as discretionary mechanisms to be used by members of parliaments. These funds can be a breeding ground for abuse at local level. In Uganda, communities had limited information on the purpose of the fund (Cammack et al 2007: 40). There are allegations that some MPs used the funds for their re-election bids. Other MPs have also not presented any evidence on how the funds were used, and yet they were not reprimanded (Cammack et al 2007: 40). Hence the CDF might be distribution of rents to MPs as political elites in order to secure their loyalty and support particularly towards securing Museveni's third term in office. As Cammack et al (2007: 40) has argued the introduction of CDF during period of electoral politicking and without strict parameters on use of funds by MPs, and the manner in which the funds were used (with impunity), and the way they bypassed formalised local development mechanisms and priorities' pose questions about their use.

Such discretionary funds (placed under the control of members of parliament) also undermine the functions of local governments by limiting the amount of resources that can be pooled to support local development plans and the delivery of public goods and services based on needs. In simple terms since CDF allocates an equal amount of resources to each constituency it makes it impossible for the local government to invest in services/ functions that cut across two or more constituencies. This also means that each constituency has a smaller amount for funds to support 'few items' which the member of parliament can attribute to himself/herself. Van Zyl (2010) has argued that where the CDF is allocated equally between constituencies it has a 'regressive effect'. However, patrons allow such discretionary funds to continue to exist and this could be one way of securing loyalty from 'small big men'.

In the neopatrimonial state local elites who are linked to the centre benefit from the status quo by 'capturing' decisions and resource allocation at local level. Decentralisation threatens the status quo enjoyed by these 'small big men/women'- political and bureaucratic elites at the local level. Decentralisation, particularly devolution promises to transfer powers to new elite groups such as locally elected representatives. Therefore, in a number of countries some local elites are resisting reforms, preferring the long-standing status quo. For instance, in Zambia (see: Mukwena and Lolojih 2002), Senegal (see: Dibie and Umeh 2008) and Mali (see: Ribot 2001), local bureaucrats have resisted decentralisation because it transfers supervisory powers to locally elected representatives. In some instances, even though powers have been transferred, local bureaucrats still dominate the local agenda and manipulate public affairs (Olowu and Wunsch 2004: 5). In part, the dominance of local bureaucrats is due to the fact that in countries such as Uganda and Ghana the central elites have entrenched their powers at the local level through powers over bureaucrats and other local actors.

In several countries in Africa decentralisation reforms are also undermined at the local level by customary authorities (chiefs)- influential local elites- that are under the control of the president. In countries such as Ghana, South Africa, Mozambique and Zimbabwe the centre has ensured that traditional authorities are part of the decentralised structures (Buur and Kyed 2007: 2). Ruling elites have maintained their powers to reward or sanction these traditional authorities. In countries such as Zimbabwe and Malawi the president has powers to remove non-performing chiefs. According to Mupedza (2007: 192) in the case of Zimbabwe this has greatly undermined the accountability of chiefs to the rural constituencies. Instead chiefs serve their 'big men' and tow ruling party lines (Mupedza 2007). In South Africa,

Mozambique and Zimbabwe chiefs (with their ruling party elites at the centre) are emerging as a political force against decentralisation (Ribot 2001: 22). While both chiefs and local bureaucrats might be serving central interests, these local actors also have their own interests in undermining reforms. For instance, local bureaucrats and chiefs may seek to protect their access to power and resources at local level by resisting reforms that create new powerful group of elites- local councillors. According to Ribot (2001: 22) and Olowu and Wunsch (2004: 59) chiefs (as one group at local level) are threatened by loss of power over land allocation and the general undermining of their authority by local institutions.

So while a certain degree of central control (and balance) is appropriate for decentralisation to succeed, in a number of countries reforms are characterised by top-down influence. In several countries big men exercise their control over local bureaucrats, customary authorities, and political elites through a variety of ways including powers of appointment, promotion, firing, as well as through provision of incentives such as discretionary funds. As a result, local elites consider themselves upwardly accountable to the centre (Dickovick and Riedl 2010: 64). The centre also directly influences the priorities at the local level through conditional grants. As a form of political reform, decentralisation (devolution) has been caught up in the challenges facing good governance programmes in Africa. According to Dickovick and Riedl (2010:71) many aspects of decentralisation remain 'contingent upon incentives of actors at central level'.

Alvergne and Latouche (2010:467) have pointed out that decentralisation is 'not immune from the self interests or free from the political games that politicians like to play':

'…party politics remain a one-way street from the centre down. Party barons will work hard at making sure no local autonomous political scene emerges, lest their own power base whither away… one does not have to suppose a large degree of rationality to national actors to conclude that they are unlikely to support [local political elites] who will reduce their own capacity to govern or eventually replace them..'

Alvergne and Latouche (2010: 467)

Therefore as a political process decentralisation cannot be separated from the interests of the dominant patron and the patronage and clientelist tendencies that exist in most African countries. This is related to the argument made by Crawford and Hartmann (2008:16) that the problem is 'local democratic deficit'. Many institutional arrangements created under decentralisation are insufficiently democratic and do not create clear lines of accountability from decision makers to the local populations (Crawford and Hartmann 2008: 16). So the way reforms evolve at local level is usually a reflection of the nature of politics at national level. If elections are manipulated at the national level to ensure the ruling party stays in power, why would they willingly open up the space for the opposition at local level where the latter may thrive and build a strong base? If dominant patrons use state resources to accumulate private wealth or to secure loyalty and support through 'gifts' to followers, why would they let go control over significant proportion of resources? As a result, the centre will intervene at the local level, co-opt local actors or control resources if it deems it necessary to do so to ensure that the central interests are served. When reforms are rolled out the local political, traditional or bureaucratic elites with ties to the centre are likely to have more influence while at the same time serving central interests. Therefore, reforms are likely to reflect the interests of the big men/women. As Alvergne and Latouche (2010) have argued for decentralisation to succeed it must

be recognised as a political process, and it must address questions of incentives for the central actors, particularly the big man. Technical approaches on their own are largely inadequate.

2.11   Conclusion

To conclude, devolution as one of the forms of decentralisation has been added to the package of reforms under good governance. This is an externally driven agenda, which is led by donors, and some scholars. The latest wave of decentralisation is based on the premise that current reforms will transfer significant powers and resources to local governments with elected representatives who are accountable downwards to the citizens with the jurisdiction of each local government. New terms have emerged to refer to the new wave of decentralisation and these include, 'democratic decentralisation' and 'decentralised governance'. At the heart of this new decentralisation are democratic institutions such as elections, which are based on the liberal democratic principles and thus the transfer of power to a new group of elites-councillors. In practice, most reforms in Africa show less promise. From the literature reviewed, reforms are characterised by centralisation with central elites seeking to make their mark on how reforms are being rolled out. These ruling elites exercise control over the local arena in a variety of ways including use of presidential appointment powers, maintaining control on how resources are used, and co-opting various elites at local level in order to influence the ruling elites' agenda.

As part of the political reforms that shape power relations between central and local elites, decentralisation is not immune from the influences of the African neopatrimonial state. Although there is a word of caution in 'over-extending' use of neopatrimonialism as a concept to describe the situation in all types of political

regimes, it has been demonstrated in this chapter that it remains one of the most useful concepts to analyze challenges facing the African state. The neopatrimonial state which is predominant in a number of African countries is characterised by personalism and concentration of power in the 'big man/woman', weak or no separation of powers between public and private spheres, the dominance of informal over formal rules, and supremacy of vertical over horizontal ties. In these states the patron and ruling elites try to maintain their control over state resources as well as over policy-making decisions. Since reforms in the African neopatrimonial state are mostly formulated from above with little pressure from below, it is not surprising that central interests will dominate implementation of reforms, given that decentralisation, and particularly democratic decentralisation, is a political process. The key question in Africa is whether devolution as a 'pure form' is likely to materialise given the characteristics of the state.

This literature review has also shown that the Asian tigers were no less neopatrimonial than the African states. However, what distinguishes the African state is the existence of widespread and decentralised rent seeking practices, which are usually short termist as opposed to the 'centralised long-termist rents' in the Asian tigers. It is also clear that even in neopatrimonial states there might be opportunities for reforms if the incentives are 'right' for the dominant patrons. But, in many countries decentralisation poses many disincentives for the 'big man/woman' and the ruling and bureaucratic elites. As Khan (2004) has argued many powerful central and local actors are threatened by reforms and have 'vested' interests to maintain status quo. Since decentralisation may be part of aid conditionalities, ruling elites are aware that they have to provide some resemblance of reform to attract these resources, which may be vital for servicing the patronage networks.

The literature on neopatrimonialism has also showed the inappropriateness of the term, 'big man' due to the rise of powerful women in Africa who do not fit this category. This term needs to be revisited. The literature has also demonstrated that variations may exist between neopatrimonial states in terms of the incentives that ruling elites may have and the way that reforms may evolve. This suggests that rather than generalise the failings of reforms all over Africa more country specific studies are required to examine the extent to which decentralisation is being pursued and the (dis) incentives that ruling elites attach to such reforms.

The good governance agenda emerged in the late 1980s and early 1990s as part of institutional reforms to address limitations faced by the centralised state in Africa. Donors and scholars have been at the centre of this concept. There are many and varied interests that have been linked with this concept. With each added element the concept has become overloaded. With each donor pushing a set of elements that constitute their own understanding of governance developing countries in Africa can be overwhelmed in terms of where to begin and how best to allocate scarce resources. It also weakens the position of donors since there is no commonly agreed set of elements, which all donors can all pursue in their relationship with a specific country. Additionally, the literature reviewed has showed that the link between good governance and development remains theoretically and empirically weak. The Asian tigers, as well as the new countries on the path to economic development (such as China) would score poorly on a variety of governance assessments. Yet, their existing forms of governing were good enough to lead them on a path to development. As an ideological concept, which emerged from the west, it is also criticised for not taking into consideration the historical context of the state in Africa- this links back to the nature of the neopatrimonial state. There is need to explore more and analyse

conditions facing reforms in specific settings, and identify opportunities that exist to incentivise ruling elites to push forward with reform agenda.

Chapter Three

3. Neopatrimonial state in Malawi, and the history of decentralisation

3.1 Introduction

This chapter has two sections: (i) an overview of the neopatrimonial state in Malawi, and (ii) the history and nature of decentralisation reforms in Malawi. The first section explores the neopatrimonial state in Malawi, and provides comparisons between the three presidents who have ruled Malawi between 1960s and 2012. This section shows that Malawi is one of the countries where the neopatrimonial logic is particularly strong. As Englund (2002) has argued, Malawi is a democracy of chameleons, with national elites making a lot of rhetoric on reforms, and yet there are so many troubling continuities from the past. Leaders move in and out of political parties and alliances largely focusing on private gains rather than collective interests of the party. In its worst form, the neopatrimonial logic seems to influence how policies are formulated and implemented in Malawi. This is the context within which decentralisation reforms are being pursued.

The second part analyses how decentralisation reforms have evolved in Malawi from the colonial period to the present. The second section is divided into three critical periods: the colonial state, 1891-1960; the post-independence era and emergence of the one party state, 1961-1993; and the rise of multi-party form of government and democratic decentralisation, 1993- onwards. This chapter lays the foundation for presentation of findings and interpretation in chapters five and six of this thesis. The overview shows that decentralisation in Malawi is not new phenomenon, and has been attempted by various regimes since the colonial era. It also shows that although the

official motives and structure of reforms might be different during the three periods there are similar patterns in the way that reforms have evolved in practice. In particular during the first two periods, from the colonial state to the post-independent state, reforms have been led by the centre with ulterior motives that undermine the local arena. Central actors have consistently co-opted local elites with the aim to consolidate rather than diminish central authority and interests within local governments.

In addition to the detailed analysis of reforms during colonial rule and the post-independence era, this chapter will also discuss the birth of the post 1993 democratic decentralisation reforms. The emphasis during this period is to analyse the drivers for reforms, and the nature of reforms. The later has been done through review of key legal and policy documents that describe the nature of reforms. Finally, the chapter also analyses the new development planning processes and financial mechanisms that have been put in place to support the new reforms. The post 1993 reforms on democratic decentralisation appear to be broad and comprehensive, and promise to transfer more powers and resources to local actors who are downwardly accountable. However as chapters five and six will show this assumption is highly questionable.

3.2   Neopatrimonialism and 'big men' in Malawi

Since independence in the 1960s three 'big men' have ruled Malawi and these are: Kamuzu Banda, 1964-1994; Bakili Muluzi, 1994-2004; Bingu wa Mutharika, 2004-2012. This section discusses and compares the neopatrimonial tendencies during rule of these three presidents. In 2012, the first woman president in Malawi (and second in Africa), Joyce Banda, took office following the demise of wa Mutharika. The emergence of Joyce Banda is covered briefly in chapter seven. The section below

briefly introduces the three presidents, and provides a comparison on their leadership

and the impact on public policies and economic development of the country.

3.2.1 Kamuzu Banda and the one party state, 1964-1994

Banda ruled the country for three decades. He was the first president after the country

gained independence from the British and he ruled the country with an 'iron fist'

under a dictatorial one party system. The impact of his rule on the economy was

mixed. Between 1964 and 1979 Malawi experienced rapid economic growth. Annual

increases in Gross Domestic Product (GDP) were over 5% and GDP per capita

doubled over this period. According to Booth et al (2006: 4), Banda promoted

agriculture development strategy. Emphasis was placed on estate agriculture, which

grew by 10% annually while smallholder farming only grew by 3%. However by the

early 1980s poverty was worsening due to unequal income distribution. Squeezing

land, labour and profit of the smallholder sector had further impoverished rural

masses whose land base was also being eroded by population growth (Booth et al

2006: 5). Therefore, between 1980 and 1994 the country experienced falling per

capita incomes with GDP averaging 2.5% per year. The policy regime was

characterised by inconsistencies reflecting a clash between shifting donor approaches

and government policy (Booth et al 2006: 5).

According to Booth et al (2006: 5), during Banda's era policy was driven by the 'big

man's' vision as well as by World Bank and IMF structural adjustment programmes.

In comparison with other countries in Africa Malawi was fairly compliant. Yet, the

structural adjustment programmes did not address the underlying programs such as

population growth, declining soil fertility and unequal land distribution (Booth et al

2006: 5).

3.2.2   Nature of Malawi Politics after the collapse of one party state

Englund (2002: 11) has argued that when the struggle against one party state started in the early 1990s with the pastoral letter by Catholic Bishops the divisions seemed to be clear. During the multi-party referendum there were those that were in favour of the more conservative one party state, and on the other hand those that were against it. Since then the allegiances among political elites seem to have become 'increasingly erratic and unpredictable' (Englund 2002: 11). According to Englund (2002: 12) Malawians have witnessed several 'bewildering shifts in their leaders identity and allegiances'. Leaders move in and out of political parties and alliances with little or no consultation of their supporters. As a result when people vote for certain individuals as Members of Parliament they must be prepared to see 'baffling maneuvers before the next opportunity to vote arises' (Englund 2002: 13).

Van Donge (1995: 242) has argued that these movements (in and out of coalitions and alliances) reflect the search for not always successful 'consensual politics'. Ruling parties pursue this consensus building in order to ensure that they have adequate numbers of MPs to carry out procedures in parliament. This is necessary since support for political parties in Malawi is heavily fragmented along regional lines. However, this quest for consensual politics might also reflect pursuit of 'political opportunism' (Van Donge 1995: 229). For instance since 1994 Malawi has witnessed strange alliances occurring among political parties. Both UDF and AFORD condemned MCP as the 'party of darkness'. Yet in subsequent elections, both have formed electoral alliances with MCP (Englund 2002: 12).

Englund (2002: 17) has argued that Malawi politics reflect the continuity of 'chameleon politics' as demonstrated by this 'haphazard way in which Malawian

politicians form alliances'. According to Svasand (2013: 315) the examples of coalition governments in Malawi do not conform to the understanding in western democracies where parties as organisations decide to join or leave government. In Malawi decisions are made by party leaders themselves without any consultation or attempt to arrive at consensus in the party (Svasand 2013: 315). In many cases the 'benefits of entering a cabinet seem to be primarily for office holders themselves and have little to do with negotiating a new policy orientation for the government as a whole' (Svasand 2013: 315). Englund (2002: 17) has described the politics in Malawi as follows:

> 'Heroes of yesterday maybe villains of today depending on dynamism of political friendship and animosity. Chameleon politics is based on a notion inspired by Jack Mapanje's poem in his poem, Of chameleon and gods, written in 1981 at the height of President Kamuzu Banda's rule. Malawi's political pluralism is a democracy in doubt, a puzzling combination of expedience and idealism, a democracy of chameleons. New rhetoric serves to justify old ambitions for unlimited power..'

The movement between parties and alliances has led to co-opting of many opposition party members into the ruling party. In turn, this has weakened the opposition in Malawi.

Another characteristic of Malawi politics is that political parties are poorly institutionalised and are characterised by central leadership dominance, weak party organisation and marginal policy differences (Svasand 2013: 306). As already argued one of the demonstrations of central leadership dominance is how party leaders can enter into coalition with little or no consultation with the rest of the party members. For opposition parties in Malawi, they fit the pattern of opposition parties in Africa whereby they are often 'vehicles for individual politicians, lacking in internal

democracy, and dependent on donor contributions for survival' (Svasand 2013: 316).

Ruling parties tend to have unfair advantage over the opposition. Ruling parties 'monopolize access to state media, state vehicles and other resources are used for election purposes, and the police do not intervene to prevent harassment of candidates or disturbances at political rallies for the opposition' (Svasand 2013: 319). According to Svasand (2013: 319) the opposition itself has contributed to its weak position with regard to ousting the ruling party. Three characteristics of opposition party contribute to weaken its effectiveness; 'leadership dominance, poor organizational loyalty and increasing party system fragmentation' (Svasand 2013: 319). For most of the party leaders their main concern seem to be to secure office benefits for themselves rather than defeating a ruling party- for example MPs defect in scores towards the ruling party of the day (Svasand 2013: 320).

3.2.3   Dominance of chiefs in Malawi politics: The parallel state

Another characteristic of Malawi politics is the influential role of chiefs as one of the key actors. This is continuity from colonial era, and one party state. Due to the existence of 'formal government' as well as the role of chiefs many people in Malawi 'experience two parallel state organisations, and individuals are simultaneously citizens of the state and subjects under an enforced chieftaincy system' (Eggen 2011: 313). This is what Eggen (2011: 314) has referred to as 'bifurcated state'. According to Eggen (2011: 314) 'the chief represents state fused power in combining legislative, executive and judicial state functions at local level'. Since the chief is located in the customary domain s/he enjoys wide local autonomy and can deviate from modern principles of governance applicable to state elsewhere'. There appears to be very little checks and balances on the chief from below. This parallel state runs all the way up to

the president who now has two state hierarchies for the exercise of power (Eggen 2011: 315).

During the one party government the chiefs were effectively subordinated to the President and his party. Kamuzu Banda removed several senior chiefs after relatively minor hints of disloyalty (Eggen 2011: 318). Therefore, the local autonomy of chiefs was undermined. After the return of multiparty politics in 1994 the formal powers of chiefs were reduced, for example traditional courts were banned. However, in practice chiefs still continued to operate as before. Chiefs could still settle civil disputes and also act as judges in cases of petty crime or breach of local rules, and even more serious crimes if all parties agree or the chief insists (Eggen 2011: 319). The chief occupies a powerful role of a 'gate keeper between government and the village, for example s/he approves and calls for meetings, and organises groups for all kinds of development activities' (Eggen 2011: 320). Villagers depend on chiefs for access to government, for example, on land transactions, handling of petty crime, and confirmation of identity (Eggen 2011: 320). These roles (and nature of relationship between chief and subjects) give chiefs a powerful position in Malawi politics especially at local level.

Eggen (2011: 321) has argued that the powers of chiefs have significantly increased under the multiparty democracy. Previously the powers of chiefs were challenged by the one party state, which has since disappeared. Chiefs draw their legitimacy from the state. Some chiefs legitimise their role as representing the government or the president over their customary role (Eggen 2011: 320). According to Eggen (2011: 321) the powers of chiefs have also increased due to the non-functionality of the local electorate and the presence of weak local administration. Donor policies have also amplified the role of chiefs, for example by emphasizing community participation and

ownership and seeking consent from communities before development projects are initiated. In the absence of other local structures the village is considered the relevant community, and the only representative of the community is the chief, who consequently gets a key role in many development activities (Eggen 2011: 323).

There are also appears to be an informal change in state hierarchy particularly with regard to the relationship between the chiefs and the District Commissioner (DC), the top bureaucrat at local level. The paramount chief cannot instruct the DC, and the DC cannot overrule him. There is a new parallel link that bypasses the DC and the formal government and goes straight from the chiefs to the president (Eggen 2011: 328). The powers of chiefs discussed here pose significant challenges to democratic decentralisation particularly because this might bring tensions with elected representatives. There are valid questions to be asked- when councillors return who will represent the people in wards? What will be the relationship between chiefs and councillors since the later are viewed as responsible for 'development' locally? What about the role of local bureaucrats? Who will overrule the other amongst the local actors?

3.2.4   The two Big Men in Malawi after 1994

This section reviews the two Big Men after return to multiparty politics, Bakili Muluzi and Bingu wa Mutharika. Generally, as Englund (2002: 19) has argued, there have been continuities in political behavior from the one party era. This is not surprising given that Kamuzu Banda and MCP dominated Malawi society and the one party state has had a 'ubiquitous influence on Malawi politics' (Van Donge 1995: 228). Many of the leading politicians held key positions in Banda's one party

government. These two Big Men have operated in the political context discussed in sections 3.2.3 and 3.2.4 above.

(a) Bakili Muluzi, 1994-2004

Muluzi was the second president in Malawi (and the first since the return of the multi party era in 1994). He won the presidency of Malawi in 1994 under the ticket of the United Democratic Front (UDF). During his reign the country experienced the worst development performance and frequent crises (Booth et al 2006: 5). Annual growth rate averaged a mere 2.5%, which was below the population growth rate. According to Booth et al (2006: 5) and Cammack (2011: 4), state capacity to formulate and implement policies was weakened further and there was massive misappropriation of public funds. This period has been labeled by Cammack (2009) as 'economic free for all' when all forms of patronage, corruption and rent seeking were democratised, and Muluzi and his allies accessed state resources successfully. Public service provision by the state collapsed and there was extensive fiscal indiscipline and macro-economic instability (Booth et al 2006: 5). Inflation hovered around double digits at 27% per annum and bank interest rates climbed up to 44%, thus limiting access to credit for many businesses. During Muluzi's rule politics overwhelmed proper public policy planning and implementation (Cammack 2011: 4).

Muluzi introduced free primary education and this improved pupil enrolment rates. However this policy was not accompanied by investments in training more teachers and building more schools. As a result the pupil-teacher ratio rose dramatically threatening the quality of education. The sudden increase in the number of pupils also overwhelmed existing school infrastructure with many schools resorting to classes under the tree. It is not strange in Malawi to find hundreds of pupils learning under a tree.

(b) Bingu wa Mutharika, 2004-2012

Bingu wa Mutharika came to power in 2004 after he won the presidency on the ticket of the United Democratic Front (UDF). Wa Mutharika studied economics in India and also received a PhD in development economics from Pacific Western University in California. Between 1978 and 1990 he worked for the United Nations where he rose to the post of Director for trade and development finance for Africa. Later he joined the Common Market for East and Southern Africa (COMESA) where he worked as Secretary General. In 1994 wa Mutharika contested against Bakili Muluzi for the presidency of the UDF and he lost. He went back to COMESA where he was fired in 1997. Wa Mutharika's patronage and clientelist tendencies were already evident while he was at COMESA. A special committee of eminent persons set up to investigate his conduct noted that he had strained relations with various individuals and groups within COMESA (Cammack 2007a: 2). He was accused of misusing the facilities of the institutions by issuing directives that 'flouted' financial regulations (Cammack 2007a: 2).

In 1997, wa Mutharika returned to Malawi and set up his own party, the United Party (UP). He run for presidency of the country in 1999 and he lost, winning only 0.5% of the vote. Cammack (2007a: 4) has pointed out that the 1999 elections were marred by misuse of government resources as Muluzi was determined to stay in power. In 2001 wa Mutharika was appointed by Muluzi to be the Deputy Governor of the Reserve (Central) Bank. In 2003, he entered politics when he was appointed as the minister of economic planning and development. In the run up to 2004 elections, Muluzi was determined to stay in power beyond the two constitutional terms that he was allowed to serve. When the bid amend the constitution and allow him to run for third term failed he selected wa Mutharika (an outsider to the party) as the UDF candidate while

Muluzi remained head of the party. The choice of wa Mutharika could have been due to the fact that as an outsider wa Mutharika had a small support base within the party, and could therefore rely more on Muluzi for guidance. Muluzi aggressively campaigned for wa Mutharika touting him as the 'economic engineer'.

A few months after the elections wa Mutharika and Muluzi fell out. The two big men expected the other to recognize him as the 'more powerful' (Cammack 2007a: 4). For example there are rumours that after the 2004 elections Muluzi recommended several individuals to be ministers in the wa Mutharika regime. Cammack (2007a: 4) has pointed out that Muluzi wanted wa Mutharika to remember who put him in power while the president wanted Muluzi to treat him as head of state rather than as a 'place holder set there to take instructions'. Wa Mutharika left the UDF and formed his own party, the Democratic Progressive Party (DPP). In his first term, between 2004 and 2009, wa Mutharika set the country on a new and relatively successful economic path guided by the then Minister of Finance, Goodall Gondwe. This was a period of 'developmental neopatrimonialism', and according to Cammack (2007a: 4) the country experienced some economic success. At one point it was one of the fastest growing economies in the world. During his second term the country faced a multitude of economic problems. By 2011, there were long fuel queues and shortage of foreign exchange in the country. This happened due to a number of reasons including the falling price of tobacco and the suspension of donor aid due to the country's poor governance record. Some of these issues have been discussed in detail in chapters six and seven of this thesis. By the time of his death in April 2012, the so-called economic success story had been reversed.

3.2.5 Comparing the three presidents in Malawi since independence- Kamuzu Banda, Muluzi and wa Mutharika

As already argued Malawi is one of the countries in Africa where the neopatrimonial logic is particularly strong. Malawi is a chameleon democracy, where politics is also characterised by political opportunism, personalism and concentration of power in the dominant patron, weak or no separation of private and public spheres, and the dominance of vertical over horizontal ties. In Malawi, just as in several other countries in Sub Saharan Africa, the 'big man' (and now the 'big woman') is one of the strong characteristics of this neopatrimonial state. All the three, Banda, Muluzi and wa Mutharika, exercised dominance over policy through their informal and clientelist networks that stretched outside the formal institutions of the state. Even the return of multiparty system did not eradicate the neopatrimonial tendencies. The state remains centralised around the president and patterns of patronage and corruption have continued (Wild and Harris 2011: 11).

All the three used (misused) public resources to secure loyalty and support. Booth et al (2006: 12) has argued that both Banda and Muluzi failed to distinguish between public resources, private sector resources and party resources. Cammack (2007a: 5) has contended that wa Mutharika just like Banda and Muluzi showed the tendency to use the public purse as his own. The general idea under all the three leaders was that political loyalty and support could be purchased through material resources. During Banda's reign, government vehicles as well as private ones were used to ferry supporters- 'dancing women and party faithfuls'- to his rallies (Booth et al 2006: 10). Muluzi and wa Mutharika did the same. Muluzi went a step further to threaten voters that he would not provide development funds for their areas if they did not support him and the ruling party (Booth et al 2006: 11). Similarly, as it will be shown in

chapters five and six, wa Mutharika and his elites favoured areas which had representation from the ruling party. Banda and Muluzi monopolized access to public resources and used this extensively to purchase political power (see: Booth et al 2006: 11), and so did wa Mutharika. It can be argued that under the three regimes the distribution of spoils of office took precedence over the formal functions of the states and this limited the capacity of public officials to make policies in the interest of the governed (Booth et al 2006: viii).

Cammack (2007a: 2) has provided a vivid representation of wa Mutharika as a big man:

> 'Observing Bingu wa Mutharika at a public ceremony is like watching Dr. Banda in his hey day. He sits rigidly in an overly chair on raised dais, his cabinet spread out on either side. In front of him are musicians and dancing women..'

Cammack (2007a: 2)

This trend described above is no different from Muluzi who was also followed by dancing women and musicians whenever he held political rallies. According to Cammack (2007a: 5), wa Mutharika displayed some characteristics, which were similar to those shown by Banda such as hands on approach, arrogance and intolerance. Like Muluzi, wa Mutharika also relied on patronage networks and non-meritorious appointments (Cammack 2007a: 5).

Muluzi and wa Mutharika used their powers to amend rules and to maintain control over other elites that were part of their networks. For instance during Muluzi's administration in 1995 a constitutional provision allowing 'popular recall' of members of parliament by their constituents for non-performance was removed by

parliament as it undermined party leaders' powers (Cammack 2007b: 604). This secured positions for members of parliament, and strengthened accountability lines between these MPs and their party leader, the patron. The negative effect has been the weakening of downward accountability since MPs know they can only be removed after five years. Still, public demand for the recall provision has not diminished. During constitutional review meetings conducted by the Malawi Law Commission in 2006/07 the public expressed the need for the recall provision to be brought back. They argued that it would 'induce' MPs to serve their constituents and not their political parties (Chihana et al 2008).

Despite the call from the masses, wa Mutharika's regime did not bring back this recall provision. In fact, during wa Mutharika's first term there was selective application of existing constitutional provisions in order to protect elites connected to him. Wa Mutharika had a minority government after he had quit the UDF, and scores of members of parliament from UDF followed him to join the new ruling Democratic Progressive Party. However, the speaker of the national assembly did not apply section 65 which would have rendered the seats of these MPs vacant. Such was the influence of the president on the speaker and it protected MPs who had crossed the floor. In the absence of section 64, on popular recall, MPs were able to hide behind the big man who needed them to govern effectively and to pass laws in parliament. Therefore, both wa Mutharika and Muluzi were able to amend or selectively apply laws to serve their interests. As it will be shown in chapter seven, Joyce Banda has also benefited from scores of MPs that so far have been shielded from section 65.

As already argued the fact that there are a lot of similarities between the three regimes under Kamuzu Banda, Muluzi and wa Mutharika is not surprising given the connections that exist amongst these big men and those that served them. Muluzi and

many of his original cabinet members served in successive Banda governments and this was where they learned how to govern (Booth et al 2006: 10). In fact, Muluzi was once one of the powerful figures in MCP where rose to the rank of Secretary General. Due to the large number of elites that followed him from MCP, Muluzi's own UDF became to be known as MCP 'B'. Wa Mutharika was followed into the new ruling DPP by scores of elites from UDF. Some of these elites had also been part of Banda's government. Hence wa Mutharika's original DPP can also be considered UDF 'B'. Wa Mutharika accepted into his new party many people from other parties with few questions asked (Cammack 2007a: 5). This trend has continued to the current regime of Joyce Banda which benefitted from massive defections from DPP, and hence the new People's Party government can also be considered DPP 'B'. The defections of elites show the fluidity of loyalty, which is a reflection of political opportunism. Party leaders seem to form alliances or join the ruling party since the President as the dominant patron has the means and power to distribute rents. Once a patron (president) leaves government he (or very rarely she) has lost access and control over public resources, and other elites and followers quickly know that this is no longer a 'win-win' situation. For all the three regimes, presidential patronage has been very effective in securing loyalty and support.

Although there are many similarities in terms of how these three big men used patronage and clientelist practices, there are also obvious differences in the performance of the economy during their reigns. Kamuzu Banda (1964-1994) and wa Mutharika (during his first term, 2004-2009) had a clear and articulated development vision and policy for the country (Booth et al 2006). Banda focused on agriculture; and estate farming for export crops was at the heart of his development policy. During Banda's reign patronage was limited to upper echelons of politicians and civil service

and the military (Booth et al 2006: 12). He established a state run private company, Press Holdings that had wide ranging focus from agriculture (estate farming), to supermarkets and investments in property markets. He linked Press Holdings with other state owned companies such as Agricultural Development and Marketing Corporation (ADMARC) and two major commercial banks- all of which had interlocking directorates. This meant that profits from ADMARC could go via the banks to Press Holdings and other favoured politicians without fraud or corruption (Booth et al 2006: 12). Banda also used populism to sell his development policies. For example he disseminated an ideology of development to rural farmers during his annual crop inspection tours where the emphasis was promises on basic necessities- shelter, food and clothes, etc (Booth et al 2006: 12). Cammack (2011) and Booth et al (2006) have argued that Banda pursued developmental patrimonialism. In his first term wa Mutharika focused on eradicating hunger through subsidies programme that was aimed at increasing production of maize. He also invested heavily in infrastructure development. It can be said that under Banda, and wa Mutharika's first term, patronage followed policy. Thus, wa Mutharika's first term might also be similar to what Kelsall et al (2010) have referred to as developmental neopatrimonialism.

In contrast, Muluzi did not demonstrate any clear long-term vision or development strategy, and policy was comparatively ad hoc (Booth et al 2006: 12). According to Booth et al (2006: 12), Muluzi and his allies developed a patronage network that sought business opportunities, and their policies seemed to be dictated by the desire to gain. The objective of the ruling elites was to stay in power and get rich (Cammack 2011: 4). During the 2001/02 food crisis the state owned National Food Reserve Agency (NFRA) oversold maize (due to weak oversight) to Muluzi's cronies who

were able to hoard the maize and sell it later at higher prices (Booth et al 2006: 22). Therefore, these elites were able to benefit from the food crisis that afflicted the country. Muluzi also focused on centralising development projects and he identified himself with the World Bank supported Malawi Social Action Fund (MASAF), which included a community sub programme to fund various community projects. Voters were promised access to these resources if they voted for UDF. Muluzi and the UDF even included a logo of MASAF on their manifesto for the 1999 elections (van Donge 2004). According to van Donge (2004: 355), the majority of the projects that were funded through MASAF were never finished. Yet very little has been done to bring to book those who are responsible for the unfinished projects.

To a certain extent Muluzi's excessive patronage practices (and their negative influences on policy) are similar to what happened during wa Mutharika's second term. A confidential source at one of the donor agencies indicated that during wa Mutharika's second time big contracts were mostly awarded to one company, Mulli Brothers, which had connections to the president.[3] What was surprising was that in the case of fertiliser subsidy the company's prices were higher than some of their competitors and in most cases their performance in the delivery of fertiliser left a lot to be desired. Donors had privately questioned the government's decisions to award contracts to bidders such as Mulli who had presented higher prices.[4] There are rumours that wa Mutharika also acted as a surety for the company to access loans and overdraft facilities from private and state owned banks in Malawi (Malawi Democrat 2012). Currently Mulli Brothers owes the state owned, Malawi Savings Bank K3.2 billion which the company has so far failed to pay back (Nyondo 2013). In fact in a radio interview in 2009 the managing director of Mulli Brothers stated that it was the

[3] Interview, DFID official, 15 October 2011
[4] Interview, DFID official, 15 October 2011

policy of company to support the government of the day, which happened to be led by wa Mutharika, and the DPP at that time (Malemia 2009). Wa Mutharika also 'greased his new party, the DPP, with a new rural development fund and fertiliser subsidies' (Cammack 2007a: 5). Under both Muluzi and wa Mutharika even mere allocation of plots (of land) followed patronage, and this was usually done to reward supporters (Booth et al 2006: 22).

It can be argued that under Muluzi (see: Booth et al 2006: viii) and wa Mutharika's second term patronage drove policy and corruption was democratised with accumulation of spoils increasingly assuming illegal forms. According to Booth et al (2006: viii) Muluzi's approach (and to a certain extent wa Mutharika's one during his second term) have been more damaging for Malawi's economy. In these environments the ability of public officials to make and implement policies based on public interest was deeply constrained by the need to service patronage networks of one kind or another (Wild and Harris 2011: 11).

There is something to be said about the instability that second terms have brought in Malawi and how sitting presidents have responded to this. In his second term, Muluzi supported an open term bill, which would have allowed him to stand for as many terms as he wanted. However, this did not garner support. Instead, he opted for a third term bill, which was introduced in parliament as a private members bill. Muluzi used 'money power' to bribe some members of parliament to support the third term bill in parliament (Booth et al 2006: 14). The bill was narrowly defeated in parliament. On the other hand, wa Mutharika used his second term to fight off his opponents, and to secure loyalty and support for his brother to become the presidential candidate for the ruling party in the 2014 elections. Both presidents have had estranged relations with their vice presidents and this is discussed later in this section. Therefore, both men, in

their second terms' were preoccupied with efforts to stay or maintain their control over the running of the state. This might have affected their pursuit of a development agenda. It may also explain why patronage and clientelist practices and norms gained ground both under Muluzi and wa Mutharika as they tried to buy support.

All the three former presidents (and now the current one) have exercised control over both party and state affairs. Kamuzu Banda was the head of the Malawi Congress Party, while Muluzi and wa Mutharika were also presidents of their own parties. What is interesting is that Malawi has a strong presidentialist system and weak parties. In fact, the weakness of the parties (even ruling parties) was clearly demonstrated during the rule of Muluzi and wa Mutharika. Muluzi owned all the vehicles of the party. He also rented office buildings on behalf of the party. In a way this demonstrates lack of separation between public and private resources, as Muluzi was able to tap into the public purse to fund his own party activities (Booth et al 2006). Wa Mutharika also provided financial assistance to the DPP. In fact the DPP's headquarters in Lilongwe was located at one of the houses which he had renovated using public resources.[5] Due to the existence of weak parties elections tend to focus on personalities and loyalties to these big men (woman) rather than the policy appeal (Booth et al 2006: 18).

Presidential powers of appointment have also been used extensively to reward those that advance the interests of the president. Muluzi appointed to the cabinet the member of parliament who had introduced the third term bill in parliament (Booth et al 2006: 14). In addition people who helped Muluzi's UDF in 1999 election campaign received embassy appointments and other senior positions in government and parastatal organisations (Booth et al 2006: 14). Wa Mutharika was also well known

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[5] Interview, a couple (neighbors to former President), Area 12, Lilongwe, 1 October 2011.

for non-meritorious appointments, which were aimed at serving patronage interests (Cammack 2007a: 5).

At local level, Kamuzu Banda, Muluzi and wa Mutharika (and now Joyce Banda) co-opted chiefs in order to secure rural support. Chiefs were (and remain) at the centre of development committees at local level. According to Wild and Harris (2011: 12), this entrenched the powers of the chiefs at local level. Wa Mutharika went a step further in instrumentalising the role of chiefs through provision of centrally transferred honorariums effectively bringing them onto the public payroll (Wild and Harris 2011: 12). As it will be shown in later chapters of this thesis chiefs under wa Mutharika were used to promote the interests of his brother to become his successor.

All the three men showed political intolerance and used state and party machinery to deal with his opponents (See: Wild and Harris 2011: 10). During the one party era, those who opposed Banda were either imprisoned, or went into exile in other countries in Africa and elsewhere. Muluzi openly used 'foul' language against his opponents. For example, he claimed that the then Vice President Justin Malewezi was a sick man who took tablets everyday and could not become president. Wa Mutharika also responded to opposition within his own party through expulsion. The then Vice President, Joyce Banda, and several party officials such as Khumbo Kachali were fired from the ruling party on claims that they were forming parallel structures. Both Muluzi and wa Mutharika used youths to deal with political opponents. The Young Democrats under Muluzi and the DPP Youth Cadets under wa Mutharika were notorious in dealing with those that opposed their 'big men'. On 18th July 2011, a day before the 'mass demonstrations against wa Mutharika', three vehicles carrying DPP Youth Cadets (with machetes) drove around Blantyre city where they openly threatened anyone who would go out and demonstrate against wa Mutharika. In 2011,

a number of civil society leaders such as Rafik Hajat and Undule Mwakasungula had their offices petrol bombed and it was suspected that this was due to their criticism on the then wa Mutharika regime. The use of youths by Muluzi and wa Mutharika to terrorise opponents is similar to how Banda, during the one party state, used the Malawi Young Pioneers (MYP) and Youth League to deal with opposition.

According to Booth et al (2006: 21), the state in Malawi is very strongly reinforced by norms and values of traditional society, which are a characteristic of the African neopatrimonial state:

> 'Malawi's neopatrimonial state has not yet been modified except in negative ways by the introduction of institutions of formal democracy…'
>
> *Booth et al (2006: 18)*

Based on the comparison of the periods under the three men, there were some periods of economic growth that seem to reflect Kelsall's 'developmental patrimonialism'- Banda's one party era (1964-1979), and wa Mutharika's first term. However, in the period after the return of multiparty form of government in 1994, only wa Mutharika's first term has been promising with the economy growing at a rate of 7% annually. In 2009, the Economic Intelligence Unit rated the Malawi's economy as one of the fastest growing, and only behind Qatar (Sunday Nation 2009). On the whole, neopatrimonial practices and norms have characterised the reign of all the three men. In their worst forms patronage and clientelism has negatively affected the ability to make and implement policy in public interest. According to Booth et al (2006: 21), this means that real policy in Malawi is 'purposefully short-termist, driven by the immediate political considerations'. It has also been shown here that both Muluzi and wa Mutharika, in their second terms, were more preoccupied with staying in power or

at least influencing who will replace them. To some extent, this took their eyes off the long-term agenda as they focused on this short-term need. Neopatrimonial practices and norms are so entrenched such that supporters (even at village level) will follow patrons that promise to provide certain rents for them.

Decentralisation as one of the public policies has been designed (and is being implemented) in this context. Therefore decentralisation is not immune from the neopatrimonial tendencies of the state in Malawi, and the discussion in chapters five and six will demonstrate how neopatrimonialism has influenced the way reforms have been rolled out in practice. The sections below provide a historical account of decentralisation in Malawi, and also describe in detail the design of new reforms that were initiated in 2004.

3.3 Colonial rule, and the new experiments with decentralisation (1891-1960)

The history of decentralisation in Malawi goes back to the colonial era during which the British ruled the country for over seventy years. The British established colonial administration in 1891. During the colonial administration the political institutions were centralised and excluded participation of the indigenous people (Kaunda 1999: 580; Patel et al 2007: 61). The colonial rulers who came and settled in the then Nyasaland protectorate were few. Therefore, it was necessary to establish a system that would work effectively around these few officials. The colonial government settled on Lord Lugard's indirect rule system, which included chiefs as foot soldiers for the few officials. According to Chiweza (2010: 31), indirect rule was a form of decentralisation. Wishlade (1961: 36) has pointed out that under indirect rule chiefs

who were previously autonomous were re-organised into native authorities and they were given roles within the administrative hierarchy of the colonial regime.

Each colonial territory was headed by a Governor (Kaunda 1999: 580). Under the Governor were Provincial Commissioners. These Provincial Commissioners oversaw the activities of District Commissioners who were the senior officials of the colonial government at district level. The District Commissioners (DCs) were in direct contact with communities and their role was to manage every sphere of local administration including police and security, justice, finance, and tax collection (Kaunda 1999: 580; Patel et al 2007: 61). The Provincial Commissioners and District Commissioners were the heads of all government field offices at provincial and district levels respectively (Kaunda 1995: 310).

Indirect rule was based on one form of decentralisation- deconcentration. Deconcentration has been described in detail in chapter two. Indirect rule allowed the colonial regime to manage the local populations by extending central administration into rural areas with only few administrators and an army of chiefs. Each district administration, led by a District Commissioner, received powers to manage technical functions such as planning, resource mobilization and allocation. This form of decentralisation was considered essential to improve efficiency in the administration of the colony. This rationale is similar to current rationales, which focus on the 'efficiency arguments' for decentralisation.

The district administration ordinance, which was passed in 1912, provided for the appointment of village headmen and principal village headmen. This marked the formal inclusion of chiefs in the colonial administration. The roles of chiefs were to assist the District Commissioners in the collection of taxes, maintenance of law and

order, administration of justice and other functions as directed by the Commissioner (Kaunda 1999: 581). This meant realigning the traditional roles of chiefs to make sure that they were serving the interests of the heavily centralised colonial administration. The performance of chiefs in carrying out the functions listed above, particularly on revenue collection, greatly influenced their livelihoods (Kaunda 1999: 581). In this case the colonial government captured the traditional structures of governance and used them to pursue their own interests. The manipulation of the role of chiefs has since continued in subsequent governments, and this has been demonstrated in chapters five and six of this thesis.

In 1933, the colonial government passed the Native Authorities ordinance, which enhanced the centralisation of local administration. Through these reforms chiefs were made more accountable to the colonial government, and the distance grew between chiefs and the local people. According to Kaunda (1999: 581), chiefs were turned into 'mere agents of the colonial administration'. The native authorities ordinance also stressed the need for strict supervision of chiefs by District Commissioners (Chiweza 2010: 36). To survive in their positions chiefs had to satisfy the needs of their masters rather than their subjects. The colonial government had powers to replace chiefs who were not performing, or were considered not to be working in the interest of the colonial government (Wishlade 1961: 38). This is similar to the patterns demonstrated later in chapters five and six whereby ruling parties has consistently co-opted chiefs to serve central interests.

The 1933 ordinance also provided for the establishment of traditional courts. Chiefs were allowed to pass laws in their own areas but these were subject to approval from the District Commissioner (Wishlade 1961: 38). The chiefs, also referred to as native

authorities, were given powers to sanction those who did not obey their orders. These sanctions were reinforced by the colonial government (Wishlade 1961: 38). In return for their service to the colonial regime the government introduced an allowance for chiefs, which was paid from government coffers. This practice has continued to this day.

Figure one below shows the structure of colonial administration under indirect rule:

```
┌─────────────────────────────┐
│           Governor          │─────────────▶  Central Administration
└─────────────────────────────┘
              ▼
┌─────────────────────────────┐
│   Provincial Commissioners  │──────────────▶
└─────────────────────────────┘
              ▼
┌─────────────────────────────┐
│    District Commissioners   │─────────────▶  District Administration
└─────────────────────────────┘
              ▼
┌─────────────────────────────┐
│  Chiefs (Native Authorities)│─────────────▶  Native Authorities
└─────────────────────────────┘
              ▼
┌─────────────────────────────┐
│           Subjects          │
└─────────────────────────────┘
```
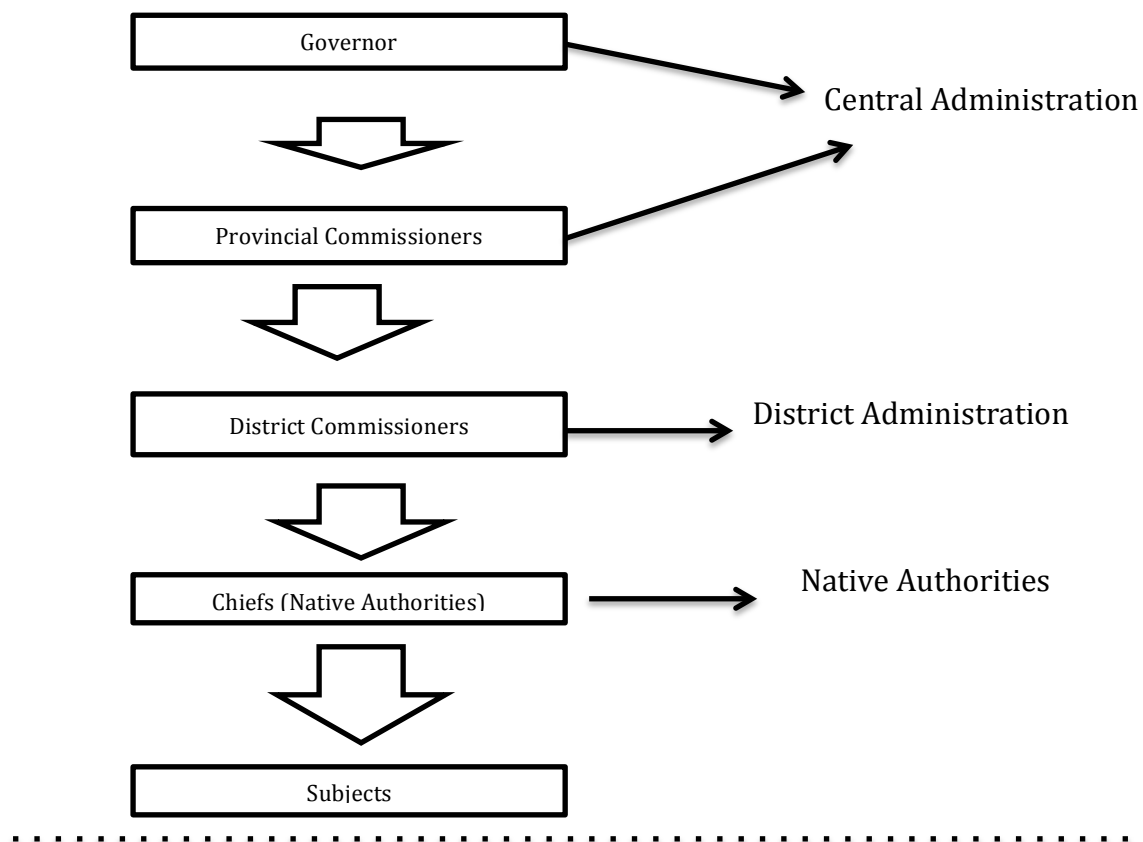
This structure of indirect rule shown in figure one above continued until the early 1950s when the British policy for administration of colonies underwent changes. This happened due to a number of reasons. First, the period after the Second World War saw the rise of social liberal parties in Britain and France. These parties were keen to implement reforms in the way that colonies were being administered (Chiweza 2005). Second, and related to the first reason, British government promised independence in return for the support of colonies during the Second World War. The implementation

of reforms was one way of delaying independence. This was so because local populations in the colonies would focus on the local spaces that were opening up as a result of reforms, while allowing the colonial regime to hang on. In this regard, such reforms would help to curb the agitation from growing number of educated Africans, which had begun as early as 1947 (Chiweza 2005: 4).

Therefore, the period after the Second World War saw a shift in policy which favoured democratic system of local government as a way to appease local populations while ensuring continued existence of colonial regime. According to Chiweza (2005: 4) this period resulted in the development of local government system first in Anglophone Africa and later on in Francophone Africa. These reforms, which were led by the Secretary of State for Colonies, Creech Jones introduced several measures aimed at building democratic and efficient local government systems in the colonies (Kaunda 1999: 581). Yet, as it will be shown in the later sections of this chapter contrary to what these reforms had aimed to address, the end result was more and not less centralisation.

As part of the reforms towards establishment of local government the colonial government in Malawi passed the District Council Ordinance in 1953. This ordinance led to the establishment of district councils, which were separate from native authorities (chiefs) (Chiweza 2010: 36; Kalinga 1996: 450; Chiweza 2005: 4). The new councils were to be built around the British model. However, the only difference with the British model was that the councils in Nyasaland included native authorities (chiefs) as ex-officio members. The new councils were given limited powers to make by-laws. They were also responsible for providing services in areas such as health, agriculture, education and other areas. The District Commissioner was given authority to chair the council. The 1953 ordinance also provided for the existence of elected

representatives within the district councils (Patel et al 2007: 61). However, with the growing sense of African nationalism in the late 1940s to early 1950s the colonial government became increasingly paranoid that the African nationalists would 'capture' the councils and use them to strengthen the anti-colonial struggle (Kaunda 1999: 582). Therefore, instead of holding elections the District Commissioner was given powers to appoint council members in consultation with chiefs (Chiweza 2010: 36). As another measure to protect the central interests, the colonial government stripped the councils of the authority to make rules and rural councils became mere 'vehicles' for delivering social services. The colonial government also tried to use the chiefs to check the growing influence of the nationalists (Kaunda 1999: 582).

Figure two below shows the structure of district administration after the introduction of councils in 1953 (dual system):
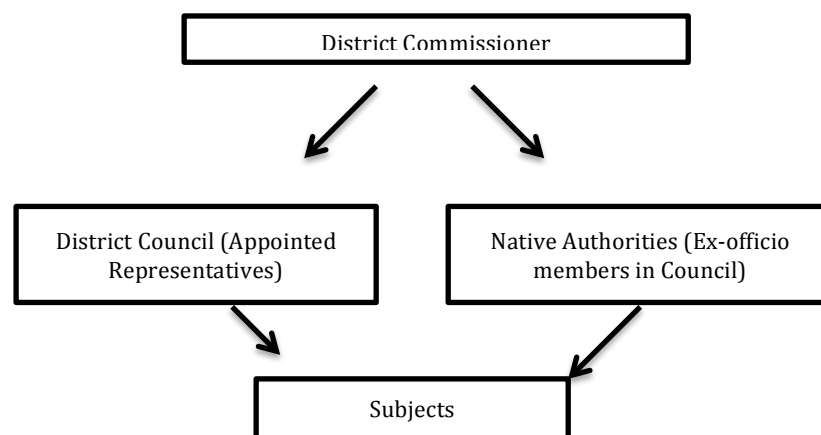
As the figure above shows the introduction of district councils did not eliminate the native authorities. Instead, these were co-opted into the councils as ex-officio members. The native authorities remained under strict control of the District Commissioner. This co-opting of chiefs was aimed at centralising reforms since these native authorities were under the control of centre. There are several other elements that were put in place to ensure that central interests were served. First, local government elections, which were included in the 1953 ordinance, were never held. Instead the District Commissioner (DC) was given powers to appoint members of the

new councils in consultation with the chiefs. With these new powers DCs could appoint sympathisers to the colonial regime. Second, reforms moved in circles and amendments were passed to limit powers, which were previously transferred. For example, after 1953, the government introduced another amendment to strip councils of rule making powers. Councils became implementation arms of the central government. Chiweza (2010) and Kaunda (1999) have argued that this was done because the colonial government was afraid that the growing nationalist movement would have captured the local spaces and used them to advance the anti-colonial struggle. These elements here sound very familiar with respect to the nature of reforms after the colonial era.

In the late 1950s, it was evident to the colonial government that the nationalists were not to be denied. Between 1958 and 1960 several African nationalist leaders were arrested. Key among these nationalists was Hastings Kamuzu Banda who had returned to Malawi from Ghana to lead the struggle against colonial rule. Due to continued protests and also possibly the change in colonial policy in Africa the country was granted independence in the early 1960s. A new nationalist government led by the Malawi Congress Party (MCP) was established in 1961. Hastings Kamuzu Banda became the first Prime Minister. The role of this new government in implementing decentralisation reforms is discussed in the next section below.

3.4   The era of the Single party state, 1961-1993: completing the circle

The newly independent government, which was set up in 1961, was eager to implement radical reforms, which would make it distinct from the colonial regime, that was considered oppressive and heavily centralised. Some of these reforms were aimed at expanding reforms that had initially been introduced by this colonial regime.

For instance the new government led by the Malawi Congress Party passed the Local Government Amendment Ordinance in 1961, which introduced statutory district councils, and provided for universal adult suffrage in the election of councillors (Kaunda 1999: 582; Patel et al 2007: 62; Chiweza 2010: 37; Kaunda 1995: 311). These reforms were an extension to those introduced by colonial regime in 1953. According to these 1961 amendments the district council could elect a district chairperson from amongst its members. The District Commissioner was replaced by the elected chairperson as head of the council. However, chiefs remained ex-officio members of the councils. From 1963, the District Commissioner was given new roles to guide and advise the district councils, and train local government staff (Kaunda 1999: 582). According to Chiweza (2010), the period between 1961 and 1964 was a golden age of decentralisation when the new regime significantly expanded the role of district councils, which had initially been set up by the colonial regime. However, this period did not last long.

In 1966, the new country became a de-facto one party state after all the Malawi Congress Party (MCP) candidates were re-elected unopposed in the April 1964 pre-independence general elections (Kaunda 1999: 582). Once it was established the one party state changed the nature of political and administrative institutions in the country. Centralisation, which was the characteristic of the colonial regime, reappeared and became further entrenched. The executive, led by President Hastings Kamuzu Banda became the powerful entity in establishing and implementing rules at various levels. This period marked the beginning of the decline of the fortune for decentralised governments in Malawi (Chiweza 2010: 37). According to Kaunda (1999: 582), and Patel et al (2007: 62) both the civil service and the local administration became heavily politicised. In addition, there were increasing demands

to implement national social and economic development priorities. The local administration was viewed as a mechanism for delivering these priorities. Elections were abolished and representatives to the council were appointed by the president based on their membership to the Malawi Congress Party (MCP) (Chiweza 2010: 38). This pattern is familiar to what happened during the colonial rule. By 1967 the role of the District Commissioner was strengthened and s/he was given the responsibility to coordinate development activities at district level. The MCP government argued that the District Commissioner was better educated as compared to councillors who were illiterate and inexperienced. This postcolonial District Commissioner had more responsibilities as compared to the colonial District Commissioner (Kaunda 1999: 583).

According to Kaunda (1999: 583), the centralisation of the state and executive dominance were rolled out at the same time. The new 1966 constitution enforced the role of a strong state with resolute leadership, which was considered necessary to address the challenges of underdevelopment. This new constitution established Malawi, as a one party state and the Malawi Congress Party (MCP) became the only party under the leadership of Dr. Hastings Kamuzu Banda. The state and local government institutions were constitutionally subordinated to the party, which was synonymous with the government (Kaunda 1999: 583). Dr. Banda was head of state and government, as well as head of the party.

The centralisation of the state was accelerated by a cabinet crisis in 1964. The cabinet crisis occurred when several ministers openly questioned the authority of the President in the cabinet. These ministers were forced into exile. A couple of them tried to organise armed coup in 1967 but this failed. To curtail any opposition to the government, the MCP government moved in swiftly to centralise power. Political

opposition was made illegal in the country. In the subsequent years hundreds of Malawians were imprisoned without trial. Based on the researcher's own experience growing up in Malawi there are many stories of people being fed to the crocodiles or being sent to prison without trial (see: Mthatiwa 2012: 97). The government targeted those who were viewed as a threat to the rule of Dr. Hastings Kamuzu Banda (Kaunda 1999: 583). Political intimidation and mysterious disappearances became common. To survive this political environment party officials, MPs, chiefs and councillors were eager to show their loyalty lest they be branded 'rebels', lose their positions, be detained without trial or even disappear (Kaunda 1999: 584). Those who opposed Banda were severely dealt with. For instance, in 1983 three senior cabinet ministers and a member of parliament were killed in what appeared to be a car crash. A commission of inquiry in 1995 after the advent of multi party politics in Malawi found that the four individuals were clubbed to death before being put in car and pushed down into a ravine (Robinson 2009: 12).

The relationship between the executive and the local government institutions was one of 'superiority and subordination' (Kaunda 1999: 584). The role of the executive was to decide on priorities, and the role of the local administration was to implement these centrally formulated priorities. All members of parliament and councillors at district level had to be MCP members who were bound to the party's constitution and rules and regulations (Kaunda 1999: 584). They were expected to be loyal to the party in all their dealings at the local level. Decisions were endorsed at the local level with little or no scrutiny, as expressing alternative views to what was coming from the centre was considered disrespect for the party, and to the head of the state. MPs and councillors were selected rather than elected and the main criterion was that they had to be members of the party.

As already pointed out earlier, the one party state used the excuse of ineffective councillors to cement their control over District Commissioners (DCs). The DC became the principal representative and agent of the Office of the President. The Minister of Local Government was given powers to dissolve the council, suspend councillors, and remove key council officials due to incapacity, negligence of duty, and misconduct. Councillors and officers could also be suspended if they were suspected to operate in a manner that did not serve the interests of the ruling party and the central government. The control over hiring and firing of officials from the district council was deliberate strategy to make them more accountable to the centre. The same was true for appointed council members who were party loyalists.

Since district councils were seen as implementation mechanisms for national development priorities the centre expanded the role of the District Commissioner to make them more 'developmental'. In this regard the one party state settled on deconcentration with more implementation powers being transferred to field units of central ministries. Although these field units were supervised by the District Commissioner, the parent central ministries maintained huge powers to influence policy and resource allocation even at district level.

A District Development Committee (DDC) was set up alongside the District Council, and the DC became the Chairperson of this Committee. The role of the DC in the DDC was to make sure that the development activities at the district level were in line with national development policies and priorities. The DC headed a highly disjointed and vertical field administration system that s/he coordinated through the DDC (Kaunda 1999: 587). The DDC were also mechanisms to control political leaders (MPs, councillors), chiefs and the government field agents by the District Commissioner (Kaunda 1999: 587; Cross and Kutengule 2001: 12; Chiweza 2010:

39). Through the DDC District Commissioners were able to influence district development activities in addition to being the representative of the president in the district. Thus the DDC entrenched centralisation and control of rural areas by aligning the district development activities and actors to serve central interests. The formation of the DDC led by DCs took powers away from the local councils, which were constituted of councillors and members of parliament. It meant that the local bureaucrats under the leadership of the DC were more influential in determining local priorities rather than the representatives of the people. The DDC were linked to Area Development Committees (ADCs) and Village Development Committees. All these levels were staffed by party loyalists (Cross and Kutengule 2001: 12).

Thus the district administration system under the one party state was characterised by existence of several structures some of which had the potential to duplicate roles, for example the district council with appointed councillors versus the District Development Committee, also with appointed representatives. There was also a strong relationship between the party structures at all levels and the decentralised structures. The figure below shows the relationships between the various structures in the post 1966 era.

Figure three: Decentralised structures and relationship with party structures in post 1966 era:
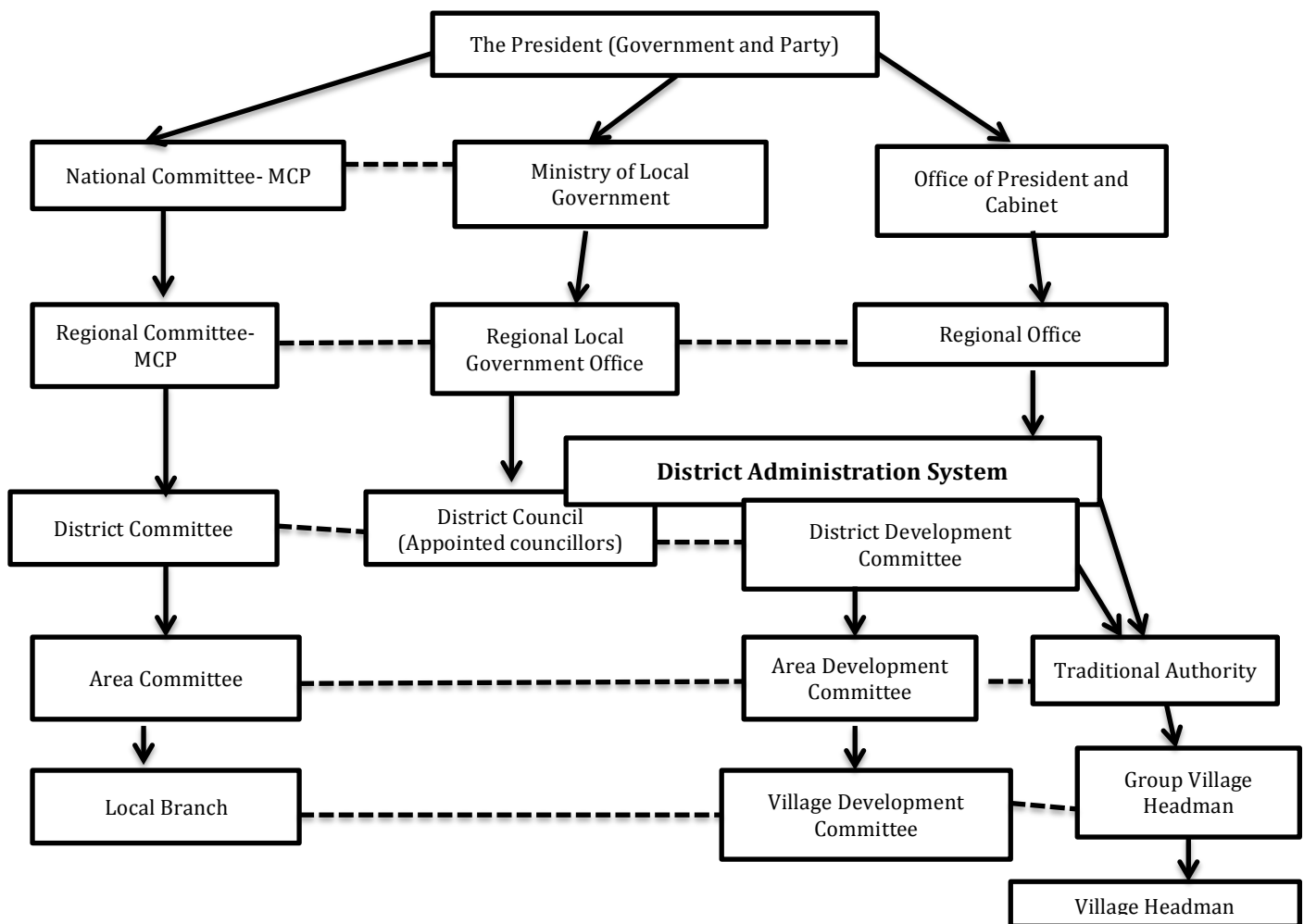
As shown in this figure above at district level there were two structures, the district council and the district development committee. However, the District Development Committee (DDC) enjoyed a lion share of government and donor resources, which were diverted from the councils. According to Cross and Kutengule (2001: 12), this was the case because the DDCs were easier to control as they were staffed by party loyalists. These loyalists could easily be manipulated to serve central interests. Apthorpe et al (1995) has pointed out that these party officials often abused the government resources. Since the party was supreme district council officials could not question the party officials. The government might have paid a blind eye to this abuse

probably because the party officials were working in the interest of the centre, and such abuse could have been the benefits of working with the party.

The period after 1967 was generally characterised by heavy handedness over any real or perceived opposition to the one party rule. This was at both central and district levels where the policies of Dr. Banda and the party could not be debated or challenged (Kaunda 1999: 584). Thus, both the political system and the development process became heavily centralised. In a way, the characteristics of the district council under the one party state reflected those of the colonial era. It can be argued that the one party (after independence) did not do away with many of the characteristics such as the functions of the colonial District Commissioner (Kaunda 1999: 584). As it has already been pointed out, the roles of the DC were further entrenched due to arguments made by the centre that the local councillors lacked experience. The centre exercised control over DCs through the Minister of Local Government who had powers to dissolve councils and also to remove senior council officers including the DCs.

Just as chiefs had played a key role in assisting the colonial government, the one party state co-opted chiefs at the district level. In addition to being ex-officio members of the councils chiefs were seen as key actors to support the DCs in maintaining law and order, to contribute to the welfare and development of the district and to cooperate with the party at local level (Kaunda 1999: 587). Chiefs were also given the role to check the direction of the DC. In a way, this was a two-way relationship. On one side the chiefs were to make sure that the DC acted in the party's interest, and on the other hand the DC directly oversaw the activities of the chiefs and reported to the centre.

The one party state also reduced the powers of the chiefs to make rules or issue orders (Kaunda 1999: 587; Chiweza 2005: 4). This was deliberate in order to dilute the powers of the chiefs and make them more subservient to the centre. Chiefs who were not on the side of government and the ruling party were dismissed. To survive chiefs had to align themselves with the party, and they managed to negotiate 'space to retain their legitimacy' with the people (Cross and Kutengule 2001: 13). The sanctioning of chiefs not aligned with government is similar to the set up during the colonial rule.

Councillors were also put under the control of the centre. Free elections were abolished and instead councillors were chosen through nomination (Patel et al 2007: 62). Each ward had to nominate between three to five candidates, and the names were submitted to the president. The president would then select one candidate to work as a councilor for that ward. All councillors had to belong to the Malawi Congress Party and were all ex-officio members of the party at district level (Kaunda 1999: 588, Patel et al 2007: 62). The process of choosing councillors was also similar to how members of parliament were selected.

Under the one party state the Minister of Local Government was an important actor and had numerous powers. The Minister controlled the local bureaucrats through powers to hire and fire senior officers at the district level. Through the DC the Minister also oversaw the activities of chiefs. The Minister also had powers to approve the by-laws of a local council. The powers also extended to financial administration where estimates of revenue and expenditure, acquisition of loans and assessment of property rates had to be approved by the Minister (Kaunda 1999: 588).

This section has shown that under the one party rule the local administrative system was heavily centralised with the councils, District Development Committees and

chiefs coming under the control of the central government. This was done deliberately in order to consolidate central interests at the local level. Therefore, in practice the one party state had pursued decentralisation with the aim of extending its reach and controlling the local arena. This is similar to the colonial regime that had pursued decentralisation in order to expand its control over the local populations. As a result, although initially the local councils had received more powers than the colonial era, some of these powers were quickly reversed. Thus, after 1966 the powers of local councils were limited to implementation. Even that role was complicated by the existence of District Development Committees, which had access to more resources. The selection and roles of actors such as councillors, MPs, chiefs and local bureaucrats were heavily politicised, and membership to both the Council and the District Development Committee was based on appointment. The absence of elections meant that downward accountability was heavily challenged, and once elected by the president both councillors and MPs were eager to please the centre. Both the council officials and chiefs also often had to thread a fine line to ensure that they served central interests. Therefore, it can be argued that during the one party era the local administration system had moved full circle from centralisation to a bit of democratisation and back to centralisation. This centralisation continued until 1993 when the winds of change blew across Africa and Malawi adopted multi party form of government.

3.5   The new promise for broad reforms, 1994-onwards

The origins of the post 1993 reforms towards democratic decentralisation can be traced back to the early 1990s during the last years of the one party state. The steps toward the reforms were taken with influence from some donors particularly the United Nations (UN). As early as 1987/88 a World Bank country assessment report

concluded that the country would not make progress in tackling poverty unless the people were directly involved in the development process. This was a clear shift, which favoured participatory approaches to development. In a poverty assessment report by UNDP in 1988/89 the agency recommended that the country should adopt decentralisation as a policy framework (Ndegwa and Levy 2003: 24). Another report commissioned by the United Nations and the Government of Malawi jointly in the early 1990s noted that the District Development Committees, which were set up in the 1960s, were not effective in the implementation of rural development initiatives (Chiweza 2010:39). The report recommended that the country should adopt more participatory approaches to development, which emphasized grassroots solutions to tackling development challenges in Malawi (Chiweza 2010: 39).

As a follow up to the joint report, the United Nations Development Programme (UNDP) and the United Nations Capital Development Fund (UNCDF) offered to work with the Government of Malawi to design and pilot an approach for decentralised participatory planning and financing of district level capital investments. The project, which started in 1992, was piloted in 6 districts of Nkhatabay, Mchinji, Dedza, Nsanje, Thyolo and Mangochi. According to Chiweza (2010) this project was part of global effort to generate lessons by the United Nations, and Malawi was one of the countries where the project was implemented. It can be argued here that although the Malawi Government came on board to implement the project the initial push was from external actors. The approach championed by UNDP and UNCDF involved the creation of 'district focus for rural development', which was based on the Kenyan model. Some modifications were made to ensure that the districts exercised leadership and autonomy over finances and planning (Chiweza 2010:40). Under this approach the districts were given powers to prepare and

implement their own projects. The UNDP and UNCDF provided grants, which were used by the six districts to implement various capital projects based on district level priorities. The district focus model fell short of democratic decentralisation because it did not provide for elected representatives. According to Chiweza (2010), this form of decentralisation resembled administrative decentralisation or deconcentration and it emphasized service delivery by line ministries.

As was pointed out earlier, the district focus for rural development was initiated during the last few years of the one party state. This form of decentralisation, also known as deconcentration, offered an opportunity to improve efficiency in implementation of development priorities at district level without compromising the position of the central government. It might explain why the government pursued reforms since they were considered less threatening. The district focus approach had some limitations. According to Cross and Kutengule (2001), there were two key weaknesses. First, the dual system of district development committees (DDC) and district councils continued, and this system favoured the DDC and the DC. Second, the approach reinforced top-down approach since the form of decentralisation was deconcentration. Ndegwa and Levy (2003: 24) have noted that the implementation of the district focus was significantly challenged in an environment of centralisation and authoritarianism under the one party regime.

Given its limitations the district focus, or administrative decentralisation was not adequate for some donors who wanted the country to pursue political reforms that tilted towards democratisation. The UNDP through its Director, Terence Jones, took a lead in pushing for democratic decentralisation in Malawi. In 1995 the UNDP commissioned a report, which was done by a team led by Professor Raymond Apthorpe. According to Cross and Kutengule (2001: 15), the recommendations from

this report led to the drafting of the decentralisation policy. This push for democratic decentralisation from external actors coincided with the political changes that occurred in Malawi in 1994. In 1993, following pressure from within and also from donors, a referendum was held to determine whether Malawians wanted to remain under one party or were interested in moving towards multi party form of government. Malawians voted overwhelmingly for change. The following year multi party elections were held and the United Democratic Front (UDF) won the majority of seats in parliament. This new democratically elected government promised comprehensive package of reforms one of which was the review of the Local Government Act (LGA). Therefore, reforms were pursued as a result of interest from donors as well as due to the excitement of a new democratic government.

By 1996 the Cabinet in Malawi had approved the establishment of the Decentralisation Secretariat to lead the process of developing the decentralisation policy. However, Kaunda (1999: 591) has argued that despite the political rhetoric the new regime did not move quickly to amend many of the archaic laws from the one party state. A new Local Government Act was only passed in 1998, and even then elections were not held until 2000. According to Kaunda (1999: 592) the reasons for delaying elections were 'dubious'. One of the reasons cited was lack of financial resources. But this was stated three years after the government had come into office. It is quite possible that since the new ruling party did not have a large majority in parliament they might have feared opening up local spaces for opposition at district level. The UDF as a new ruling party controlled less than half of the 177 parliamentary constituencies in the country (Kaunda 1999: 593). Most of the parliamentary seats for the ruling party were concentrated in the southern region, with few seats in the central region, and not a single seat in the northern region. Ndegwa

and Levy (2003: 25) have pointed out that since decentralisation did not emerge as a result of a push from below it is quite possible that central actors took their time to design reforms with their interests in mind.

Since elections did not take place between 1994 and 1999 there were no councillors at the local level. Instead local bureaucrats were the dominant actors making all the key decisions at the local level. Kaunda (1999: 594) has argued that this status quo magnified the role of central government locally with little or no involvement of local communities in the making of decisions over local development priorities. Local government elections were finally held in 2000 following a landslide victory by the UDF in the 1999 presidential and parliamentary elections. This might reinforce the argument that elections were held because the UDF party had by then built a large support base through out the country as compared to the 1994 scenario where it was a minority government.

It is clear that in Malawi reforms were driven by the United Nations through UNDP and UNCDF and these agencies were very instrumental in the design of the new reforms. Between 1998 and 2001 UNDP worked with the Government of Malawi to implement the 'Local Governance Development Management Programme'. This programme had several objectives, which included: to support the development of the decentralisation policy, and to replicate district-planning system in all districts (Chiweza 2010: 41; UNCDF 2008: 12). The district planning system was based on lessons generated from the district focus approach.

The post 1994 reforms in Malawi made explicit links to good governance. According to UNCDF (2008) the reforms were aimed at achieving duo objectives to promote good governance and to improve service delivery. Cross and Kutengule (2001) have

argued that the new reforms were also driven by contemporary understanding of the importance of popular participation.

3.5.1 National and local challenges with decentralisation during UDF era, 1994-2005

Chinsinga (2008: 74) has argued that decentralisation reforms during the UDF era were characterised by 'inconsistent and ad hoc implementation motivated largely by strategic political considerations'. National elites seemed to be interested in consolidated their own vested interests. As a result the track record of democratic decentralisation in tackling poverty was not very encouraging. According to Chinsinga (2008: 87), politicians particularly on the government side did not welcome democratic decentralisation in its original form but saw it as means to improve administrative capacity rather than allowing 'large scale devolution of power'. This is the only period, after 1994, when Malawi has had councillors and Chinsinga has written extensively on the challenges that district councils faced. Chinsinga (2008) has highlighted two problems that faced district councils, (i) the power struggles amongst local actors in a bid to assert themselves as dominant forces in emerging governance and administrative frameworks- the motivation was to appropriate most of the power and to direct benefits towards themselves, or to at least maintain the existing patterns of distribution, and (ii) district councils operated without adequate and reliable funds.

According to Chinsinga (2008: 88), there were conflicts between MPs and councillors due to the fact that MPs perceived councillors to be a threat to their candidacy in subsequent parliamentary elections. Generally, MPs wanted to engage councillors in a boss- subordinate relationship. There were also conflicts between chiefs and

councillors since the former were strongly opposed to the introduction of alternative structures of leadership that appear to challenge the power, prestige, authority and influence of chiefs (Chinsinga 2008: 89). Chiefs may have felt that councillors had stripped them of their powers and experience since chiefs did not have voting powers in district councils. On the other hand councillors considered chiefs as illegitimate leaders who had no real powers in district councils. It seems that chiefs had an upper hand in contrast to councillors since the relationship between chiefs and the national elites (in the parallel state) made them powerful actors at local level. As a way to consolidate their legitimacy ruling parties have co-opted chiefs and provided them with benefits which include promotions, building houses, and offices for them, and putting chiefs on government payroll (Chinsinga 2008: 90). On the other hand, councillors did not receive anything, and this greatly undermined their relevance in the eyes of the public (Chinsinga 2008: 90).

There were also tensions between councillors and local bureaucrats. One of the sources of conflict was that in most district assemblies' councillors and bureaucrats never met to agree on common strategic visions. According to Chinsinga (2008: 90), other sources of conflict included; lack of remuneration for councillors, the local bureaucrats monopolizing control of activities within assemblies, poor communication with councillors, regionalism, tribalism and nepotism.

Reforms during the UDF era also experienced several other challenges. Resources allocated for poverty reduction were widely abused and diverted for private political gains by the then ruling party, UDF, which used the development initiatives as instruments to consolidate rural patronage (Chinsinga 2008: 94). Tambulasi (2009: 180) has argued that decentralisation has created a breeding ground for corruption in Malawi. At district level, local elites have access to financial resources and they can

exercise discretion for private gains. Contracting out process by the councils presented opportunities, motivations and possibilities for corruption (Tambulasi 2009: 179). This thesis is an attempt to explore the continuities (or discontinuities) that exist between the Muluzi and wa Mutharika regimes with regard to the politics of decentralisation reforms in Malawi. The next sections of this chapter outline the nature of the reforms on paper and the evolution of the development planning process under Malawi's democratic decentralisation.

3.5.2 The 1994 Constitution: The basis for establishment of democratic local governments

The 1994 constitution is the basis for the implementation of democratic decentralisation in Malawi. Section fourteen of the constitution provides the mandate for establishment of democratic local governments as an integral part of a functioning democracy, economic development, and service delivery improvement. In this regard the constitution establishes decentralisation as a state objective (Chiweza 2010: 18). The constitution gives powers to the new local governments over welfare provision, promotion of local democratic institutions, promoting local participation, and promotion of infrastructural and economic development through formulation and implementation of local development plans (GoM 1995). These locally formulated plans are to be submitted to the central government for endorsement. The 1994 constitution outlines the following as the functions of the local governments:

- The promotion of infrastructural and economic development through formulation and implementation of local development plans and the promotion of business enterprise,

- The presentation to central government authorities of local development plans and raising awareness about local issues which need to be addressed by national government,

- Consolidation and promotion of local democratic institutions and democratic participation,

- Delivery of various services locally as determined in the Act of Parliament.

The constitution mandated parliament to transfer powers to local governments to be responsible for local policies and administration. Councillors were to be elected. To break centralisation, the constitution clearly articulated the roles of bureaucratic and political central actors over the administration of local governments. For example, central bureaucrats are expected to monitor, provide support, and oversee national level policy matters. This meant that they were not to engage themselves in implementation as well as determination of local priorities.

3.5.3 Local Government Act and Decentralisation Policy (1998)

Following the 1994 Constitution two other key documents, the decentralisation policy and the Local Government Act were finalised in 1998. The decentralisation policy provides the overall framework for creating the structure of local government institutions at district level, referred to as 'Assemblies'. The policy specifies the actors and accountability lines, powers, functions/ responsibilities, committee and financing of Assemblies. With regard to powers, the policy devolves some administrative and political powers to the district level. It creates one administrative unit at the district through sector devolution and integration of various government departments and agencies at the district level. The policy transfers the powers over implementation of district level functions to the local governments. Throughout the policy document the emphasis is on establishment of elected local governments with

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the twin objectives of strengthening local governance and poverty reduction. There are underlying assumptions about increased people's participation which will lead to demands for accountability from elected local governments and would therefore ensure that such governments operate in the interests of the citizens.

On the other hand, the Local Government Act supports the implementation of the decentralisation policy. The policy and the Act spell out the following objectives for decentralisation in Malawi:

- To establish democratic environment and institutions in Malawi for governance and development at the lower level to facilitate participation of local people on decision making,
- To eliminate dual administration at the district level in order to make planning and provision of public services more efficient, economic and more cost effective,
- To promote accountability and good governance at local level in order to effectively tackle poverty,
- To mobilise local people to participate in socio-economic development activities at local level.

Both the policy and Act consistently use the popular language of 'good governance' or 'governance' and see decentralisation as essential to achieve this. In addition, decentralisation is considered as a solution to tackle poverty through more responsive elected local governments. The institutional structure of Local Governments as articulated in the Local Government Act and Decentralisation Policy is discussed in the sections below.

3.5.4 The institutional structure of Local Government: Devolution of Administrative and Political Powers

Decentralisation in Malawi has taken the form of devolution of administrative and political powers to Local Assemblies (Councils). In Malawi the term 'devolution' is used interchangeably with 'democratic decentralisation' primarily because reforms are promoting the existence of elected local governments, which are accountable downwards to the local populations. On paper, decentralisation in Malawi has been accompanied by wide ranging fiscal reforms, also referred to as fiscal decentralisation. Fiscal decentralisation has led to creation of Local Assemblies as planning and budgeting units, with the District Commissioner as the Controlling Officer across all devolved government units at district level. However, as this thesis will show in the later chapters this is only true on paper. In practice, many of the promises of decentralisation are yet to be realised with the centre still holding on to both resources and functions.

Reforms in Malawi are expected to create a democratic system and culture within which local bureaucrats and elected representatives can be held to account by the people who they are supposed to serve. The Local Assembly has been created as the political body at district level and is accountable to local communities through elected representatives who are voted into office every five years. This political structure also includes other co-opted officials such as Members of Parliament, Chiefs and special interest groups all of which do not have voting rights. Ideally, this means only elected representatives have a bigger say in final decisions through exercise of their votes. In practice, this thesis will show that the picture is very complicated especially given that local government elections have not been held since 2005.

The council secretariat is the implementation arm of the Local Assembly. It is the administrative structure at district level. It is composed of devolved sectors that have been amalgamated into one administrative unit under the supervision of the District Commissioner. The secretariat is made up of directorates from devolved sectoral ministries such as health, education, agriculture, water, and others. It includes other departments, which were already part of the administrative set up of the district secretariat, and some of these are: directorates of planning and development, finance and administration. The secretariat is responsible for executing plans through implementation of various development projects and activities supposedly approved by the Local Assembly.

To create the one administrative unit, sector devolution plans were developed. However, by 2005 only three of the big sectoral ministries, health, education and agriculture, had initiated some form of sectoral devolution. Since then, the process has slowed down. In the same year, an inter-government fiscal transfer formula was approved by parliament and it is aimed at ensuring that districts have some level of fiscal autonomy to implement local plans.

At sub district level the Local Government Act, section 14 (3) provides for creation of committees at area, ward and village level as the Local Assembly may determine. Across all districts the decentralised sub district structures are the District Executive Committee (DEC), Area Development Committee (ADC), Area Executive Committee (AEC) and Village Development Committee (VDC) (Chiweza 2010: 23). These structures are critical for the purposes of facilitating participation and local development planning within the district development planning process (DDPS). Figure four below shows the structure of Local Government in Malawi as per the 1998 Local Government Act.

Figure four: Structure of Local Government in Malawi (1998 Local Government Act)
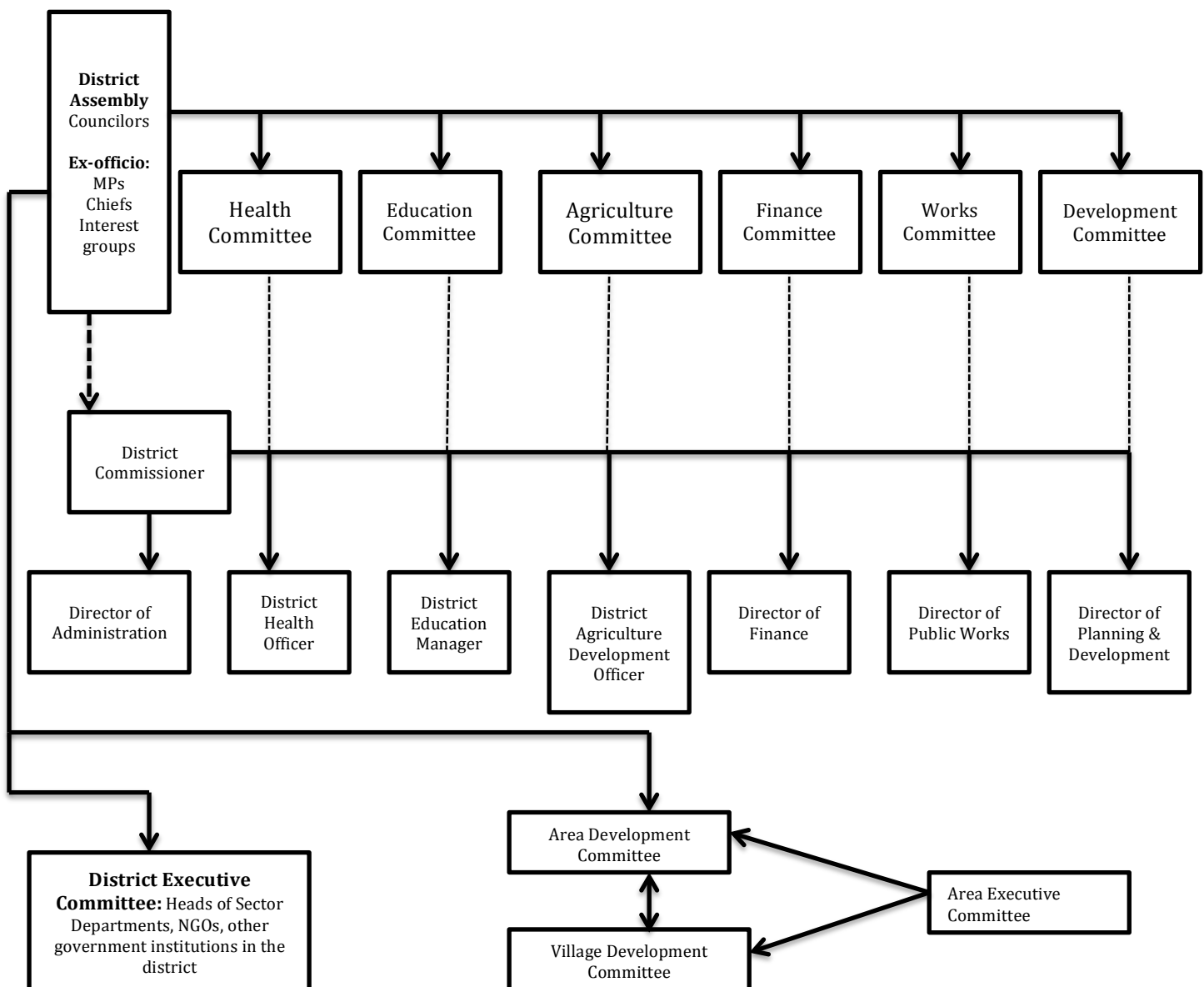
3.6   The District Development Planning System: Planning from below

Under decentralisation, devolution of planning and implementation of local projects to Local Assemblies was viewed as a more effective and efficient means to reduce poverty (MLGRD 2009). Section nine of the Decentralisation Policy states that Local Assemblies have been charged with the overall development of the district. The Assemblies are required to facilitate participation of local populations in the

preparation and execution of district development plan. Local Assemblies have the mandate to form various committees at area and village level as necessary to contribute to the process of developing and implementing plans.

The process of coming up with a new planning system for local governments has been a lengthy one. A planning handbook for the new local governments was finalised in 2001. This is three years after the Local Government Act and decentralisation policy were put in place. This handbook is the blue print for local development planning at district level. It outlines the procedures for the formulation of district development plans (DDPs) through identification and prioritisation of development programmes and projects. In the context of fiscal decentralisation the DDP is a crucial instrument, which assists the Assembly to allocate resources according to set priorities. The handbook also spells out the various committees and their roles in the planning process.

Underlying the district development planning process is the principle that district plans should reflect local needs and people's preferences. This expectation is not unique to Malawi. In several developing countries that are adopting the new wave of decentralisation reforms are aimed at increasing local people's participation to prioritise needs, implement, and monitor and evaluate programmes. The district development planning system (DDPS) provides an interface between local communities and the Local Assembly. Chiweza (2010: 20) has argued that the DDPS offers opportunities for processes of participatory planning and dialogue between citizens and their local leaders in order to influence project priorities of local government.

According to the Government of Malawi, GoM (2001: 4), the district development planning process is an integral component of the decentralisation process and focuses on a systematic bottom-up approach to development planning. It is a cyclical process, which involves a number of stages that lead to formulation of a district plan in each assembly. As already stated above, the driving principle is 'bottom-up' approach to ensure that local communities participate in identification, implementation and monitoring and evaluation of local programmes and projects. On paper, the process is supposed to facilitate decision making by communities.

3.6.1 The district development planning system in practice: How plans are developed

The District Development Plan (DDP) is expected to outline the specific programmes and projects to deliver on the objectives and strategies from the District Development Planning Framework (DDPF). The DDP is a guide for allocating resources to areas where beneficiaries feel are a priority to uplift their lives (GoM 2001: 33). It is a roadmap for implementing specific development projects in a particular district and these projects should respond to local needs and priorities within the broader parameters of national development interests. On the whole, the process of developing a district development plan is supposed to conform to four principles as follows; bottom-up, participatory, district focused and people centred (GoM 2001: 33).

The process for developing the DDP is quite technical and intense. It starts with the production of Socio-Economic Profile (SEP), which provides the physical, social and economic picture of the district. The SEP report contains the necessary information for carrying out a situational analysis, which serves as the foundation for the preparation of the District Development Planning Framework (DDPF) (GoM 2001: 21). The production of the SEP is to be led by a SEP Taskforce, which should be

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created from within the District Executive Committee (DEC). The Taskforce should comprise of the Director of Planning and Development as the chairperson and five other members selected from amongst DEC members. The data collection process for SEP includes collection of primary and secondary data. Once the SEP is written up it is presented to the Development Committee and the District Council for adoption.

When the SEP is in place the district development analysis is carried out to synthesize all data from the SEP. The district development analysis (DDA) prioritises key development issues, outlines the development objectives and develops strategies for addressing the key issues. The DDPS recommends that the process of coming up with the DDA should be participatory through use of participatory approaches. In the formulation of the DDA the District Executive Committee (DEC) is also supposed to review all village action plans (VAPs). A number of tools have been developed to assist the DEC to identify and prioritise development issues and objectives. Some of the tools include ranking, causal relationships and problem tree/analysis. A District Development Plan (DDP) Taskforce selected from within the DEC leads the whole process of coming up with the District Development Plan. Just like the SEP Taskforce, the Director of Planning and Development also leads the DDP Taskforce.

Following the completion of the DDA, the DEC develops the district mission statement and finalises the development objectives. These objectives are supposed to be in line with the national development objectives. From these objectives come strategies. The DDA together with national development objectives constitute the District Development Planning Framework (DDPF), which is submitted to the Development Committee and District Council for approval. The DDPS recommends that the final DDPF should be circulated to village development committees (VDCs) so that they can prepare specific proposals according to the development priorities.

The Area Executive Committee is supposed to assist VDCs in the preparation of the proposals. The proposals from VDCs are submitted to the Area Development Committee (ADC), which reviews and submits the final proposals to the district. The DDP Taskforce reviews and appraises proposals received from the VDCs. Some of the proposals are also developed by the Area Development Committees and the District Executive Committee (GoM 2001: 38). The community proposals, the SEP and the DDPF provide the technical inputs required to write up the district development plan (DDP). The final DDP is submitted to the District Council for approval.

The DDP is a medium term plan, which covers a period of three years. In each year of the DDP the Assembly develops what is knows as the Annual Investment Plan (AIP). The AIP outlines specific projects to be implemented in that particular year. The cycle for the DDP ends with a review on its performance. There are various structures that are involved in the development of the DDP (refer to figure four for the illustration of these structures). The structures and their roles are discussed next.

(a) Village Development Committee (VDC)

The Village Development Committee (VDC) is a representative body formed at Group Village Headman level. Since the Group Village Headman has authority over several villages ideally the VDC should be made up of representatives from these villages. The membership of the VDC is supposed to be made up of an elected member from each village from the Group Village Headman, councillor from the area, four women representatives nominated by VDC members, and one elected extension worker representative.

Members of the VDC are expected to elect among themselves a Chairperson, Vice Chairperson, Secretary and Treasurer. The guidelines have made it clear that the role of chiefs is to supervise the activities of the VDC. According to GoM (2001:6), the Group Village Headman cannot chair the VDC. But rather s/he is expected to supervise the VDC under his/her jurisdiction. The VDC is supposed to report to the chief after every meeting and keep him/her informed of the development issues discussed in the committee. Chiefs are expected to continue with their primary role to settle disputes. However, as chapter five and six will show chiefs have captured these committees and have greater influence both in the composition of these committees as well as the way projects are managed.

The total membership for the VDC is expected to be equal to or less than sixteen. The term of office for the VDC is three years unless if the committee is replaced. However, the guidelines do not provide conditions under which the VDC can be replaced. The term of office also matches with the period for the district development plan although the two periods may not be concurrent.

The VDC is responsible for facilitating planning, implementation and monitoring and evaluation of projects at village level. Therefore, the VDC is the focus of the district development planning process (DDPS). According to the GoM (2001), the following are some of the specific responsibilities of the VDC:

- Work as channel of information on development activities from District Executive Committee and Area Development Committee to the communities,

- Encourage and mobilise community resources in self help activities,

- Assist in identifying, prioritising and preparing community needs and submit these to the Area Development Committee (ADC),

- Supervise, monitor and evaluate implementation of development activities in the villages,

- Mobilise external financial resources for priority community based projects

- Initiate locally funded self help activities,

- Report to the Group Village Headman (GVH) on all activities and discussions of the committee.

With regard to the district development-planning process, the VDC is responsible for coming up with the village action plan (VAP), which is submitted, to the Area Development Committee. The VAP is to be developed through a participatory process. It describes the specific projects proposed by each VDC and their corresponding budget (MOLGRD 2004). The VAP also has a lifespan of three years, which is aligned to the district development plan (DDP). The plan is also revisited every year to feed into the annual investment plans of the Assembly. According to MOLGRD (2004), the VAP offers an opportunity for local communities to participate in the formulation of the district development plan. The key assumption is that the VDC will act in the interest of the population from the villages that it represents.

The process of coming up with VAP takes four days. The Village Action Handbook developed by the Ministry of Local Government and Rural Development in 2004 provides a number of tools that should be used by communities in coming up with the Village Action Plan. This handbook puts a lot of emphasis on technical aspects ('tools') rather than the political aspects in terms of how different interests can be managed. With regard to technical tools, the handbook recommends use of pairwise ranking to prioritise issues. It also recommends the development of a village-planning framework (VPF), which is organised as follows: issues, cause, long-term objective,

medium term objectives, and strategies. Once the VPF is completed communities are asked what type of projects are needed to deliver the strategies outlined in the VPF. Each VDC submits the village action plan to the Area Development Committee.

(b) Area Executive Committee (AEC)

According to GoM (2001: 7) the Area Executive Committee (AEC) is a technical arm that advises the Area Development Committee (ADC) on matters related to needs assessment, project identification and preparation of project proposals. The AEC and the ADC exist at Traditional Authority level. The AEC is composed of elected extension worker representative from each VDC within the Traditional Authority, NGO representatives and other co-opted members. In areas with large number of extension workers membership has been limited to the following sectors: health, education agriculture, community services, forestry, water development and NGO representatives. This rule is not cast in stone, and where necessary the AECs are allowed to co-opt members from other sectors. In general the membership of the AEC is not expected to go over twenty five (GoM 2001: 8). The chairperson, vice chairperson and secretary are elected from the membership. The term of office for the AEC is two years.

The District Development Planning Handbook (see: GoM 2001) outlines the functions of AEC as follows:

- Assist the ADC in the identification and formulation of project proposals
- Implement field appraisal of projects,
- Review all project proposals before submission to the District Executive Committee (DEC),

- Operate as an advisory arm of the ADC,

- Support the ADC in supervising project implementation,

- Conduct data collection and analysis at community level,

- Prepare monthly reports,

- Take a lead in the organisation of VDCs,

- Train VDCs and support them in setting guidelines for development in their areas.

Generally the AEC operates as a technical arm responsible for ensuring that appropriate projects have been developed and recommended to the District Executive Committee for consideration in the DDP. At VDC level the AEC members manage and facilitate the village action planning process. Therefore they are responsible for the action plans that are developed by the VDCs and submitted to the Area Development Committee.

(c) Area Development Committee (ADC)

The Area Development Committee (ADC) is a representative body of all Village Development Committees under the jurisdiction of a Traditional Authority. Similar to the AEC, the ADC exists at Traditional Authority level. According to GoM (2001: 9) the ADC representatives are selected from every Village Development Committees (VDCs) in each Traditional Authority. The following are the members of the ADC:

- All chairpersons and vice chairpersons of Village Development Committees,

- Ward representatives (Councillors),

- Religious representatives,

- Representatives of women and youth groups,

- Representatives of the business community,

- Chairperson of the Area Executive Committee (AEC).

The chairperson of the ADC is elected from amongst the members. According to GoM (2001: 9), the Traditional Authority is not supposed to be the chairperson of the ADC. However as it will be shown in the later sections of this thesis Traditional Authorities are increasingly capturing these committees. In an ideal scenario, the ADC is expected to report to the Traditional Authority who is the patron. The Traditional Authority needs to be kept informed on all development issues discussed by the committee (GoM 2001:9). The term of office for the ADC is three years except for councillors who are members for the entire duration of their term, which currently is five years. The ADC has the following responsibilities:

- Carrying out monthly general meetings,

- Support identification, prioritisation and preparation of community needs which encompass more than one Village Development Committee (VDC); these needs are submitted to the District Executive Committee,

- Supervise, monitor and evaluate projects being implemented in a particular Traditional Authority,

- Responsible for mobilising community resources and identifying other funds,

- Receive, review, prioritise and prepare project proposals from VDCs, which are submitted to the DEC.

(d) District Executive Committee (DEC)

The District Executive Committee (DEC) is a technical committee, which exists at district level. The DEC is both a technical and an advisory committee of the District

Council. The DEC is composed of representatives from the council secretariat, other government departments at district level, representatives from NGOs, and other co-opted members (GoM 2001: 10). The District Commissioner chairs this committee, and the Director of Planning and Development at the Council Secretariat is the Secretary. Only the District Commissioner, Director of Planning and Development and Heads of the Council Secretariat departments are permanent members. The rest serve a five-year term.

The following are the functions of the DEC:

- Identify, prioritise and carry out preliminary feasibility studies of the community needs project proposals submitted by ADCs,
- Carry out technical reviews of various development proposals,
- Provide technical input in the formulation of the District Development Plan (DDP),
- Provide technical guidance during project implementation,
- Provide support in mobilising funds from local and external sources,
- Provide training in technical, leadership and management skills to Village Development Committees (VDCs), Area Executive Committees (AECs), Area Development Committees (ADCs) and District Council (DC),
- Operate as a technical advisory body to the District Council on all matters related to local development,
- Liaise and harmonise district level policies and activities with national policies and activities (in line with sectoral interests).

Within the district development planning process the DEC has been given mandate to create sub committees and task forces in order to facilitate effective implementation

of certain activities. Some of the sub committees recommended for the DEC are District Training Team, Development Advisory Team and District Environment Sub Committee.

(e) Development Committee (DC)

The Development Committee (DC) is a service committee of the District Council and it has the mandate to coordinate development activities at district level (GoM 2001: 10). The Development Committee leads the process at district level to develop the district development plan (DDP). The Development Committee also reviews and submits the District Development Plan and Annual Investment Plan to the District Council. During the course of implementation of the DDP, the committee coordinates monitoring and supervision activities. The district development planning process does not provide clear guidance on who the members of the Development Committee should be.

(f) District Council (DC)

The District Council is the top policy making body at district level. It is responsible for leading and coordinating the infrastructural and economic development in the district through the approval and execution of the district development planning framework (DDPF) and the district development plan (DDP) (GoM 2001: 10). The composition of the District Council, which is also provided in the Local Government Act of 1998, includes the following:

- Councillors,
- Traditional Authorities and Sub Traditional Authorities,
- Members of Parliament,

- Five representatives of special interest groups.

Up until 2010, councillors were the only voting members in the District Council with the rest being non-voting members. However, as it will be discussed in chapters five and six one of several amendments to the Local Government Act has seen Members of Parliament being granted voting rights alongside councillors. The District Council has the following functions:

- Facilitating dialogue between government and citizens in the villages during identification, planning and implementation of district and area based development projects,
- Promote government policies among the rural population of the district,
- Coordinate the identification and implementation of any development projects in the district.

The District Council (DC) has mandate to form service committees, and these include: Finance Committee, Development Committee, Education Committee, Works Committee, Health and Environment Committee and Appointments and Disciplinary Committee (GoM 2001: 11).

3.7   District Development Planning System versus National Priorities

The district development planning system discussed above does not operate in a vacuum. Although the district is the operational unit for development and implementation of local plans, such plans are also expected to conform to national priorities such as those contained in the Malawi Vision 2020, Malawi Growth and Development Strategy (MGDS), and the Sector Investment Programmes (SIPs).

The Vision 2020 outlines long term aspirations of Malawians and form the basis for short and medium term policies and strategies. The vision defines national goals, strategies, policies and strategies that will lead to better development outcomes for the country. The Malawi Growth and Development Strategy is a medium term integrated strategy that articulates development policy and strategic priorities, and programmes and projects for the country. It provides the focal point for allocation of development resources both from the Government of Malawi as well as from donors. The MGDS is a successor to the Poverty Reduction Strategy Paper (PRSP). It covers a period of five years. The MGDS identifies Local Assemblies as key mechanisms for achieving twin objectives of national development and good governance in Malawi. The strategy is based on the premise that equitable economic growth and development can only be achieved with good governance. Therefore, democratic decentralisation is viewed as essential because it will lead to strong democratic local institutions, which in turn will lead to better delivery of public services (Chiweza 2010: 21). The Sector Investment Programmes (SIPs) articulate the development priorities, strategies and activities for a specific sector, for example health or education.

The district development planning system recommends that the relationship between the national and district level planning should be iterative with the DDPs being aligned with national policies and programmes. Therefore, a critical step in coming up with DDPs is the articulation of national policy frameworks before the formulation of the DDP can start. Ideally, the framers of the district development planning system had hoped that district level priorities would also inform policies and strategies at the national level. However, as chapters five and six will show districts are increasingly being considered implementation mechanisms of centrally formulated priorities.

3.8 Roles of the central actors in new reforms: Policy oversight and supervision

As discussed above, Local Assemblies operate under a national planning system, which includes a number of sectoral ministries. The decentralisation policy has led to creation of new roles for central ministries in relation to local assemblies. Central ministries are considered vital to provide policy guidance, and technical and financial support to local assemblies. One of the key central ministries in the implementation of decentralisation is the Ministry of Local Government and Rural Development (MLGRD). The ministry has a pivotal role to oversee the roll out of reforms. In addition to providing guidance to local assemblies it also acts as the link between councils and the central government. But, as the later sections of this chapter will show the Minister of Local Government has become an even bigger player through the new powers that s/he has received to recruit, supervise and transfer District Commissioners.

There are also other specialised government institutions whose work is to ensure that local assemblies operate effectively. These include: the National Local Government Finance Committee (NLGFC), Local Government Service Commission (LASCOM) and others. These structures and their functions are discussed next.

The National Local Government Finance Committee (NLGFC) was established in 2001 under section 149 of the Republican Constitution. NLGFC monitors and manages the fiscal arrangement between central government and local assemblies (both recurrent and development budgets). The full functions of the NLGFC are described in later sections of this chapter.

The Local Assemblies Service Commission (LASCOM) was created to oversee recruitment of senior staff at assembly level from the position of director up to the District Commissioner. This mandate originates from the Local Government Act of 1998. In addition, LASCOM is also responsible for promoting and disciplining senior assembly officials. However, as this thesis will show the role of LASCOM has since been watered down as a result of the amendments to the Local Government Act in 2010. The aim of these amendments was to transfer powers back to the political elites at the centre.

On paper, there is high-level commitment to implement decentralisation as manifested through the role of the Office of the President and Cabinet (OPC) in providing overall guidance to the decentralisation process through the Cabinet Committee on Local Government. The committee is the main policy making body and it oversees functions of local government, devolution, and administration of local authorities. The committee has eleven members nominated by the president. Below the Cabinet Committee is the Inter Ministerial Technical Committee on Decentralisation (IMTCD), which acts as a policy coordinating mechanism. It is composed of technical experts (bureaucrats) from the Office of President and Cabinet and from all the devolving sectors. There are also representatives from other key ministries such as: Local Government and Rural Development; and Finance, Economic Planning and Development. This committee is responsible for providing technical support to the whole decentralisation process, and it reports to the Cabinet Committee on Decentralisation. The IMTCD is chaired by the Principal Secretary in the Ministry of Local Government and Rural Development.

The decentralisation policy assigns responsibilities to each of the devolved central ministries on the following tasks: policy formulation, policy enforcement, and

inspection and supervision, establishments of standards, and training and curriculum development for their respective departments at district level.

3.9   Capacity building for decentralisation

The decision to decentralise has been accompanied by capacity building programmes aimed at ensuring that reforms are rolled out effectively. Since 2001 there have been two national capacity building programmes, and these are discussed briefly in the sections below.

(i) The National Decentralisation Programme I (NDPI 2001-2004)

The first National Decentralisation Programme (NDP) was developed in 2001 and it covered the period 2001 to 2004. It focused on seven components as follows: legal reforms, institutional development and capacity building, building a democratic culture, fiscal decentralisation, accounting and financial management, sector devolution, local development planning and financial mechanisms. The National Decentralisation Programme (NDP) I was an opportunity for donors to support implementation of reforms in Malawi. In fact, over seventeen (17) donor representatives attended the first donor round table conference that took place in 2001. Some of the key donors that supported reforms included GTZ (now GIZ), UNCDF/UNDP, NORAD, and AFDB. Some of these donors are still playing a key role 10 years down the line, for instance GIZ, UNDP/UNCDF and AFDB. As this thesis will show new donors have also come forward to support various components of the reforms.

In 2004, a review of the NDP I was carried out and it found that there were high levels of commitment towards decentralisation from within the Local Assemblies.

However, there was resistance from a number of central ministries to devolve functions to the Assemblies. The review also noted weak capacities and shortage of staff at local level, ineffective institutional arrangements, poor participation of local communities, and inadequate financial resources (Kutengule et al 2004). The review made the following four recommendations as a priority:

- To accelerate the sector devolution process, and also need to clearly articulate the incentives for reform,
- Invest in institutional development and capacity building,
- Emphasis on fiscal devolution and financial management,
- Establishing local development planning and financing mechanisms.

All these four priorities are tasks that central ministries were supposed to carry out. Following the first capacity building programme the Government of Malawi developed a successor programme, which will be discussed in the next section.

(ii) The National Decentralisation Programme II (NDP II 2005-2009)

As the successor programme to NDP I the design of the National Decentralisation Programme II was based on key lessons and challenges raised in the 2004 review. However according to Chiweza (2010: 25) the NDP II was not brought before donors for support because the government failed to justify the programme following the postponement of local government elections (MLGRD 2009:6). Due to failure to solicit support for this programme the government has not been able to initiate it fully. The NDP II has now been revised and it is focusing on the period 2008-2013. The revision was necessary since the government has made new commitments to hold local government elections. Similar to NDP I the NDP II is aimed at providing a

framework for implementing reforms and for coordinating support from development partners. Since it was rebranded there has been some support from certain quarters. Some of the key development partners currently supporting reforms are discussed in chapter six.

3.10 Resources for decentralised entities: Central Grants, and the Local Development Fund

Recognising that the efficiency of local governments depends on resources the framers of the 1994 Constitution included a clause under which the central government is required to make available adequate resources through central transfers. As per the Constitution of Malawi local government entities can also keep a proportion of locally generated revenue. The Constitution provided for the formation of an independent National Local Government Finance Committee (NLGFC), which would oversee the allocation of resources and also ensure accountability of local governments on financial matters (GoM 1995). Within the Constitution the functions of the National Local Government Finance Committee were stated as follows:

(a) To receive all estimates of revenue and all estimate budgets from the local government entities,

(b) To scrutinise and monitor accounts of local government entities in line with an Act of Parliament, subject to recommendations of the Auditor General,

(c) To make recommendations with regard to allocation and distribution of funds to local government entities (based on a transparent formula),

(d) To prepare a consolidated budget for all local government entities, and submit this budget to the National Assembly before the beginning of each financial year,

(e) Make applications to the Minister of Local Government for additional funds where necessary.

The membership of the National Local Government Committee is multi-disciplinary with individuals from different sectors. The persons are selected as follows:

(a) One member selected to represent local government entities (nominated through a caucus of local governments),

(b) Principal Secretary of Local Government Ministry,

(c) One professionally qualified and practicing Accountant appointed by Public Accounts Committee,

(d) Chairperson of Civil Service Commission or person nominated by the Chairperson on his/her behalf,

(e) One representative from the Electoral Commission,

(f) Principal Secretary for Finance or his/her representative.

According to Kaunda (1999: 590), this wide representation in the NLGFC was aimed at emphasising the significance of local government in the overall national governance. The provisions were also aimed at reducing the powers of the Minister over the functions of local governments (Kaunda 1999: 590).

The Local Government Act of 1998 has also articulated the fiscal reforms necessary to ensure that local governments have control over their budgets. For instance, the central government is expected to transfer 5% of the national net revenue to local government entities. The NLGFC provides budget ceilings to local government entities based on the following formula; 80% on the population of the assembly, and 20% based on the poverty rates. In addition to these central grants local assemblies

also generate local revenue through property rates, ground rent, fees from commercial ventures and services charges. However, central grants comprise over 80% of all resources available to local assemblies. The grants are largely used for recurrent budgets at the Assemblies, with little funds available for development (Patel et al 2007:65). In essence, this means grants are used to meet the costs of paying for salaries, running costs for vehicles, maintaining offices, and other related expenses.

The NLGFC also oversees the fiscal performance and fiscal accountability of local assemblies. With regard to fiscal accountability the NLGFC is responsible for supporting audits of Local Assembly funds, which are conducted by the National Audit Office. Between 2009 and 2011 the NLGFC worked with the National Audit Office to clear the backlog of audits dating back to 2005 financial year. On paper, the NLGFC can also sanction Local Assemblies that fail to submit financial reports by withholding their disbursements.

To complement central transfers and locally generated revenues, the central government established the Local Development Fund (LDF) in 2008 to operate as a basket fund for local development initiatives by local government entities. The LDF is a multi-donor fund with funding from the Government of Malawi, sector based funding and other resources from development partners (MLGRD 2007: 8; GoM 2009a: 4; MoF 2009: 4). The goal of the Fund is stated as 'to empower local communities to participate in decision making processes through improved local governance and development management, in order to reduce poverty and improve service delivery' (MLGRD 2007: 8). The Fund was created with four funding windows as follows:

(a) **Community window**- to provide funds for community level investments aimed at reducing poverty- these projects are contained in the Annual Investment Plans of the Local Assemblies, and are to be directly managed by communities.

(b) **Local Assembly window**- to provide finances for capital investments, labour intensive public works programmes and other local economic development initiatives contained in the Local Authority Development Plans. These projects are to be managed by the Local Assemblies.

(c) **Urban window**- to provide funding for supply driven projects such as infrastructure to support local economic development in urban areas.

(d) **Performance window**- to provide funding for capacity development requirements of Local Assemblies as they take on more responsibilities.

Chapter five will discuss how the LDF windows operate in Salima district. It is worth noting that not all the windows are active or accessible to most Assemblies. For instance, the performance window is often under-resourced, and the urban window is just being finalised. The urban window is also targeting cities and town assemblies, and hence beyond the reach of the majority of assemblies, which are rural.

The NLGFC has little policy control in how the LDF is managed. The LDF Technical Support Team operates as an arm of the Ministry of Finance. On paper allocation of funds (central transfers) to Local Assemblies is done based on an indicative planning framework. This means funding is allocated based on project submissions from each Local Assembly (GoM 2009a: 10). The project submissions are expected to come from the development priorities listed in the district development plans of the

Assemblies. The Ministry of Finance provides leadership in the mobilisation of resources as well as provision of policy guidance to the Fund. A seven member Steering Committee (SC) provides the policy oversight in the running of the LDF. The SC is composed of the following:

- Principal Secretary- Finance,

- Principal Secretary- Economic Planning and Development,

- Principal Secretary- Local Government,

- Representative from Council for Non Governmental Organisations in Malawi (CONGOMA),

- 2 representatives from Non State Actors.

Below the SC is the National Technical Advisory Committee (NTAC) that is chaired by the Ministry of Local Government. The NTAC reviews and approves project submissions from Local Assemblies. It is composed of representatives from sector ministries as well as representatives from the National Local Government Finance Committee (NLGFC) and CONGOMA. The National Local Government Finance Committee (NLGFC) is expected to provide advice to the Ministry of Finance on how to allocate the LDF resources based on the fiscal transfer formula. However, in contrast to the central grants where the NLGFC is more influential, the Ministry of Finance has the final say on the allocation of funds from LDF.

3.11   Conclusion

To conclude, the neopatrimonial logic is particularly strong in Malawi. The Malawi state also shows several troubling characteristics, which include 'chameleon politics', coupled with political opportunism; weak political parties with central leadership

dominance; and parallel rule with chiefs playing a key role in politics. The period between 1960s and 2012 has been marked by the rule of three big men (Banda, Muluzi and wa Mutharika), and these leaders were entrenched in patronage and clientelist practices. Neopatrimonialism has had significant influence on the design and implementation of public policies, with political leaders focusing on short term and largely personal gains at the expense of long-term developmental objectives for the country. Decentralisation, being a political process, is not immune from the characteristics of the Malawi state.

It has also been discussed in this chapter that as one of the public policies, decentralisation is not a new phenomenon in Malawi, and has been pursued since the colonial era. Under the colonial government reforms were heavily centralised with chiefs being under the control of the centre. More democratic reforms were briefly introduced in the 1950's but these were quickly reversed due to fear by the colonial regime to open up local spaces to nationalists who were mobilising to push for independence. The postcolonial government under the Malawi Congress Party was initially more ambitious and open to reforms. However, by mid-1960s powers were heavily centralised, and both chiefs and councillors were put under the control of the centre. For instance elections were abolished and councillors were appointed based on their political affiliation to the single party. More responsibilities were assigned to the District Commissioner to act in the interests of the president and the party. Hence, it can be argued that the reforms had come full cycle from centralisation under colonial rule, to brief devolution under MCP (1961-1964), and back to centralisation from 1964 onwards. The reasons for re-centralisation under the MCP regime have been discussed in this chapter, and these were mainly to protect local spaces against

opposition, and also to drive a nationalist development agenda led by the president as a 'big man'.

In contrast to the one party era, the post-1994 reforms appear more comprehensive and broad, at least on paper. This chapter has shown that the new reforms are grounded in constitutional, legal and policy frameworks. On paper the central government has taken steps to put in place the necessary mechanisms and structures and implement capacity building programmes in support of the reforms. These steps include, setting up financing mechanisms, and organisational structures such at the National Local Government Finance Committee, the Local Assemblies Service Commission, and others. With regard to how districts can come up with their development plans, the central government has developed a comprehensive and highly technical step-by-step district development planning system. However, as it will be shown in subsequent chapters, the biggest challenges are political, and neopatrimonialism seems to play a key role in influencing these reforms.

Chapter Four

4. Methodology, Data Collection and the Context

This chapter provides an overview of the methodology used in carrying out this research. This chapter is divided into three sections. First, it discusses why a qualitative case study was used in this research and how Salima district was selected. Second, it describes the data collection methods used in this study, and the limitations in conducting this study. And third, this chapter provides an overview of the socio-economic, political and administrative context in the district where the research was carried out.

4.1   Research Approach: Qualitative case study

The methodology used in this study is qualitative case study. The researcher purposively selected one of the twenty-eight districts in Malawi as a case study. The case study has used Yin's 'embedded design' and this is discussed in detail in the sections below. The study is interpretivist and constructivist. It is based on assumptions that all individuals develop subjective meanings of their experiences in the world, and these meanings are varied and multiple. Social reality is subjective and varied, and there are multiple stories of lived experience (Biber 2010). The role of the researcher is to look for complexity of views rather than limiting meaning to few categories or ideas (Creswell 2009). The study has used open-ended questions in order to allow participants to articulate various meanings that they attach to different issues around decentralisation. The study used a combination of single case study and qualitative research methodologies at national level. The use of qualitative research in

this study is appropriate given that the research is aimed at exploring and understanding relationships amongst local and central actors.

The use of case studies is well documented in literature. According to Macpherson et al (2000), case studies are research designs aimed at exploring rich complexities of social phenomena and the social environments in which there are situated. Tight (2010) defines case study as thorough examination of a small sample, and at its extreme a detailed examination of a single case. Case study has the advantage of providing rich and detailed account about a particular social phenomenon (Hakim 2000). Within a case study a researcher can use several sources of information in order to explore a particular phenomenon in detail. The use of multiple sources make the case study one of the powerful research designs (Hakim 2000; Bernard and Ryan 2010). The argument by Hakim (2000) and Bernard and Ryan (2010) is relevant with regard to the analysis of how decentralisation reforms are evolving in various countries. A qualitative case study has the advantage of providing a rich analysis of the actors, and the various motives for supporting or hindering reforms.

Most single cases often contain sub-cases within them. Yin (1989) refers to this as the 'embedded design'. This 'embedded design' has been used in this study to examine decentralisation within a particular district while at the same time relating this to a larger study at national level. The study also examines changes over time, as well as variations within different parts of the selected district. This is what Gerring (2004) has referred to as temporal and within unit variations, and this can increase the number of cases. This research design is a hybrid in the sense that it also focuses on investigating decentralisation as phenomena at national level. Thus, the single case study (of one district) is nested in broader qualitative research design to investigate decentralisation in Malawi.

There are some concerns that findings from single case studies cannot easily be generalised. Gerring (2004) has pointed out that, in addition to generating hypothesis, evidence drawn from a single case can be adequate to disconfirm a hypothesis. Flyvbjerg (2006) has argued that formal generalisation is not the only legitimate method of scientific enquiry. A 'purely descriptive, phenomenological case study can be of value' and can result in a breakthrough towards scientific innovation. Flyvbjerg (2004) uses the test of 'falsification' as one of the rigorous tests that a case study can be subjected to. Under falsification if one observation does not fit with the proposition then it is considered not valid and must therefore be revised or rejected. Flyvbjerg (2006) has borrowed the example of the famous 'black swan' from Popper (1959). Popper used this famous example that 'all swan are white' and proposed that just a single case of a black swan would falsify this proposition, and in this way have great significance and stimulate more studies and theory building. Hence, case study research is valuable to identify 'black swans' because of the detailed investigations (Flyvbjerg 2004: 228). Flyvbjerg (2006) argues that the 'force of the example' provided by a single case is undervalued and 'formal generalisation' overvalued.

4.2   Selection of Salima district as the case study

According to the Local Government Act (1998), the district is the unit for decentralisation in Malawi. It represents the geographical territory within which Local Council functions. Therefore, in selecting case studies the researcher used the district as the unit for understanding how reforms have been implemented. There are a number of reasons why Salima was selected for this study. In the 2009 parliamentary elections the ruling party, won all the parliamentary seats in 5 out of 28 districts. In 19 of the districts in Malawi (68% of all districts), the seats were shared between two or more political parties and independent candidates. Salima is one of the 19 districts

where more than one party and independent candidates won parliamentary seats. Going back to the 2004 elections the district also had at least two parties sharing the parliamentary seats. Therefore, Salima is representative of the majority of districts in Malawi. The presence of several parties and independent candidates provide basis for within-district comparison in contrast to the minority of districts (18%), which had ruling party dominance.

Salima is also representative of the largely agricultural based economy in the country. 76% of Malawians are self-employed rural farmers who mainly produce for subsistence faming. In comparison, 76% of the population of Salima are subsistence farmers (NSO 2008). Approximately 99.6% of the farmers in Salima produce maize mainly for consumption and this is close to the national average of 97% (NSO 2005). Salima is also amongst the majority of districts (61%) with literacy rate below 70%. In addition, 35.1% of the people in Salima have inadequate housing. This is within the national average of 32.7% for Malawi (NSO 2005). According to the Malawi Demographic and Health Survey 2010 report, only 8.1% of the population of Salima has access to electricity compared to a national average of 8.7%. Based on the political and key socio-economic characteristics reviewed here Salima is similar to the majority of districts in Malawi. At the same time Salima is one of a third of the districts in Malawi with vibrant townships. Such townships provide more opportunities to mobilise local revenue for the local assemblies. This is significant because one of the assumptions in decentralisation is that availability of locally raised revenue has significant effect in influencing whether local priorities will be implemented. Large volumes of locally generated revenues may suggest that the district can potentially reallocate these resources to address local priorities with reduced pressure from central government.

Within the district five Traditional Authorities (TAs) were selected where additional interviews took place. Systematic random sampling was used to select the TAs. First, all the Traditional Authorities were categorised according to each of the five constituencies in the district. Thereafter, the researcher used simple random sampling to select one Traditional Authority per constituency. The table below provides the names of the five Traditional Authority areas selected.

Table 1: Traditional Authorities selected for the study

#	Constituency (Political Party in control)	Traditional Authority Selected
1	Democratic Progressive Party	Kalonga
2	Malawi Congress Party	Kambwiri
3	Maravi Peoples Party	Ndindi
4	Malawi Congress Party	Pemba
5	Democratic Progressive Party	Khombedza

4.3   Data Collection Methods

This study used a combination of methods such as semi-structured interviews, focus group discussions and documentary research. Each of the methods is described below. Open-ended questions were used in both semi structured interviews and focus group discussions. The open-ended questions allowed the researcher to explore various issues in detail. The interviews were guided by a set of identical questions that were asked to different people sampled in this study. Use of several interconnected methods in this research has the advantages of creating a better understanding on the key questions of this research. It reduces a 'tunnel vision' of reality by ensuring that each method contributes to reveal part of the reality (Verschuren 2003). The methods used in this study are discussed below.

4.3.1 Semi structured interviews

Semi structured interviews were used at both district and national levels. An interview guide with identical questions was developed. This guide was used with different categories of respondents. At district level semi structured interviews were used with representatives from Area and Village Development Committees, members of parliament, the District Commissioner and local council staff, NGO representatives, district heads of political parties, religious leaders, civic education volunteers, donor representatives in the district, former councillors, and chiefs. At national level, the semi-structured interviews were used with government officials, donors, and NGO representatives. Semi structured interviews were useful in exploring a range of topics during conversations with participants. The semi-structured interviews explored various perspectives and roles in the implementation of decentralisation. The interviews also investigated the relationships that existed between various groups. 100 semi structured interviews were conducted at national and district level.

The semi-structured interviews are useful because they provide an opportunity to make comparisons between people or groups of people (Bernard and Ryan 2010: 29). According to Bernard and Ryan (2010), semi-structured interviews are also valuable since they can produce vast amounts of information within short period of time. The use of open-ended questions in the interviews allowed participants to answer in their own words and to provide their own understanding of how things work in the district.

Tables two and three below show the type and numbers of respondents at national and district levels.

Table 2: National Level Interviews (Total=30)

#	Type of Respondents	Organizations	Number of Interviews
1	Multilateral and Bilateral Organizations supporting reforms	World Bank DFID African Development Bank GIZ / KfW Irish Aid USAID UNDP UNCDF	10
2	Government Departments/ Ministries	Ministry of Development Planning Ministry of Finance Ministry of Local Government National Local Government Finance Committee Local Development Fund Technical Support Team Ministry of Education Ministry of Health Ministry of Agriculture National Audit Office	13
3	Non Governmental Organizations	Plan Malawi CARE Malawi Action Aid ADRA Malawi Local Governments Association	7

At the national level the first step was to map various government ministries that are directly responsible for implementing decentralisation. In each of these ministries the researcher identified key officers who could provide the information on the research questions. Donor organisations were also mapped, and although there are scores of multilateral and bilateral development agencies in Malawi this study only focused on those that are either funding the roll out of reforms or are channeling funds for implementation of activities within district councils. The rest that did not meet the criteria were not included for the in-depth interviews. This was deliberate because the study focused on examining the experiences of various agencies in supporting reforms rather than seeking perceptions. Interviews with NGOs at national level focused on those that are implementing local accountability programmes in one or several

districts and NGOs that are carrying out various development activities in the case study district.

Table 3: District Interviews

Within the district the semi structured interviews were conducted with the following:

#	Type of Respondents	Number of Respondents
1	District Council Staff	11
2	Members of Parliament (total=5)	5
3	Former Councillors	7
4	Traditional Authorities	5
5	Donor Representatives in the District (German Development Agency)	2
6	Non Governmental Organizations in the district	12
7	Chairpersons- Area Development Committees	5
8	Key Informants	6
9	National Initiative for Civic Education Volunteers	6
10	Religious Leaders	6
11	Village Headmen	5
	Total=70	

Within the case study district the focus was to interview those who are directly responsible in making of decisions at council level particularly with respect to allocation of projects and resources. All the key formal actors were mapped. These included members of parliament, traditional authorities, government officers, and NGO representatives. Using purposive sampling and random sampling individuals were identified from each of these categories above, and a key criterion was their potential ability to provide the information required for this study. The NGO representatives selected were those that are implementing various development projects at community level. While there are several NGOs in the district the study focused on those that cover the five traditional authorities mentioned in the earlier sections of this chapter. Within the district the German Development Agency (GIZ) is also implementing capacity building activities to support decentralisation. Therefore, GIZ representatives in the district were interviewed.

At community level, the emphasis was on interviewing individuals that are either directly involved in identification and prioritisation of needs channeled to local councils, or those that had a good understanding of the local politics in the area. In each of the five Traditional Authorities former councillors, political party representatives, and one representative of the Area Development Committee (the chairperson) were interviewed. Since there is only one ADC per each Traditional Authority (TA) this did not require any additional criteria for sampling. With respect to religious leaders, the key criteria were to interview representatives from different faiths (Presbyterians, Anglicans, Catholics, Muslims). NICE volunteers were identified in each of the five traditional authorities where interviews took place. One volunteer was randomly selected from each of the five TAs, and the study also included one other volunteer from a TA outside the targeted five. Village Headmen in table 3 above were randomly selected.

4.3.2 Focus Group Discussions

Focus Group Discussions (FGDs) were conducted in the five Traditional Authorities that were selected to be part of this study. The FGDs provided critical perspectives on how various categories of actors and citizens interacted with the process of development planning and allocation of resources within decentralised governance system. The FGDs also provided an overview on how local people view government responsiveness. In total, 41 FGDs were conducted. Eight (8) FGDs were conducted in each of the 4 Traditional Authorities, and 9 FGDs were held in the fifth Traditional Authority. In each TA one FGD was conducted with each of the following (i) area and village development committee representatives, (ii) political parties- focusing on the big three political parties, (iii) women groups, and (iv) community based organisations.

The selection of Area Development Committee was straightforward because only one exists per traditional area. For Village Development Committees (VDCs), simple random sampling was used, and one VDC was selected per Traditional Authority. Since Malawi has three major political parties in Parliament, FGDs were held with representatives of each of the three parties at Traditional Authority level. The study focused on party officials rather than ordinary party members. This is because it was relatively easier to identify party officials. In Traditional Authority Ndindi, which falls under the constituency of a member of parliament from a small party, MPP, one FGD was also held with the representatives of this party. As much as possible the researcher tried to ensure equal representation of women in the focus group discussions.

Community Based Organisations (CBOs) and Women Groups included in the FGDs were selected using simple random sampling in each of the Traditional Authority areas. Within each selected CBO and Women Group the researcher purposively selected 8-12 individuals. The emphasis was on those that have leadership positions in the groups.

Table 4 below shows the numbers of FGDs conducted in each Traditional Authority:

#	Traditional Authorities	Focus Group Discussions
1	Kalonga	Area and Village Development Committees (2) Political Parties (DPP, MCP, UDF) (3) Women Group (1) Community Based Organization (2)
2	Ndindi	Area and Village Development Committees (2) Political Parties (DPP, MCP, MPP, UDF) (4) Women Group (1) Community Based Organization (2)
3	Khombedza	Area and Village Development Committees (2) Political Parties (DPP, MCP, UDF) (3) Women Group (1) Community Based Organization (2)
4	Pemba	Area and Village Development Committees (2) Political Parties (DPP, MCP, UDF) (3)

		Women Group (1)
		Community Based Organization (2)
5	Kambwiri	Area and Village Development Committees (2)
		Political Parties (DPP, MCP, UDF) (3)
		Women Group (1)
		Community Based Organization (2)
	Total=41	

Focus Group Discussions are widely used in qualitative research to gain information from a selected group of individuals. Powell et al (1996) define focus group as a collection of individuals brought together by researchers to discuss and make comments on a topic using their personal experience. Kahan (2001) defines a focus group discussion as:

'A carefully planned discussion whose objective is to learn about perceptions, feelings, attitudes, and ideas of the group participating in the discussion with respect to a defined area of interest'

In the hands of skilled researchers focus group discussions can allow the researcher to collect multiple perspectives on the same topic. Gibbs (1997) points out that the main benefit of focus group discussions is that they provide insights into people's shared understanding of everyday life. Focus group discussions also enable the researcher to gain a larger amount of information in a short time (Gibbs 1997; Kahan 2001). According to Fahad (1986: 315), focus group discussions can easily be adapted to different problems and to different settings relatively quickly. This might explain why focus group discussions have become one of the popular research techniques in social sciences.

In terms of structure, focus group discussions usually involve one person (moderator/ researcher) talking to a group of 6-12 people. The individuals within the group share certain characteristics, for example sex, village, socio-economic status, and other

criteria that are used by the researcher to select members of the group. Generally, what links the individuals is possession of knowledge about the topic or issues that the researcher is interested in. Compared to other techniques, a researcher is able to check the validity of the information from focus groups through non-verbal cues shown by the respondents. Focus group discussions can also have a snowball effect whereby a comment by one member of the group might trigger chain of responses from other respondents (Fahad 1986: 319).

Focus group discussions also have a number of disadvantages. Interviewer variability can result in differences in the type and depth of information collected (Fahad 1986: 319). Focus group discussions can also be prone to capture by certain individuals who may overshadow the rest of the respondents who have something to say on the topic. As a result the rest of the respondents might keep quiet. The sample might also be too small or not representative to draw generalisations (Fahad 1986: 320). Clearly, there are many advantages of focus group discussions, and these tend to outweigh the disadvantages. As Fahad (1986) has argued, many disadvantages are as a result of practices of the users rather than deficiencies with the technique itself. If done well focus group discussion is a reliable method of collecting data. Kahan (2001) compared use of focus group discussions and surveys in three studies and found out that the two methods provided consistent results.

In this study focus group discussions were critical to explore shared experiences on several topics around decentralisation. For instance, focus group discussions explored local involvement in identification and prioritisation of needs, and also examined whether and how leaders were being held to account for delivery of services within those communities where participants in focus groups came from. Focus group discussions were appropriate in order to explore the degree of consensus on the topics

raised in the interview guide. Identical questions were used with different groups in order to ensure that the data could easily be compared and contrasted. The questions were open ended to allow for in-depth examination of the issues.

4.3.3   Informal conversations

Informal conversations with friends and old acquaintances at district and national levels provided valuable information particularly in understanding local politics and the relationships between various actors. For instance, some of the conversations were on political allegiances and these were useful in the later part of this study to understand why certain actors wield more powers than others. These conversations formed part of unstructured interviews. According to Bernard and Ryan (2010), these informal interviews can provide a wealth of information. Unstructured interviews are one of the most valuable means of investigating underlying issues (Wispe and Thayer 1954). While unstructured interviews are useful for quite sensitive topics, they are not without problems. Wispe and Thayer (1954) have highlighted selection of proper categories and proper units of measurement as two of the basic problems in the analysis of protocols of unstructured interviews.

In the case of a politically sensitive subject such as decentralisation in Malawi unstructured interviews provided valuable insights that were pursued through semi structured interviews. However, these conversations were hard to do, and in almost every case the researcher had to rely on memory to record the important bits of the conversation. These conversations were spontaneous and occurred sometimes over lunch and also while travelling. At district level the unstructured interviews provided insights in the political workings of resource allocation at district level.   The researcher used information from unstructured interviews to follow up on a variety of

issues during focus group discussions and semi structured interviews with respondents in the district. At national level information collected from unstructured interviews allowed the researcher to identify other respondents as well as to follow up formally with other respondents during interviews.

4.3.4   Secondary data

Secondary data provide a wealth of information for researchers in the social science discipline. One of the advantages of secondary data is that it is inexpensive to collect since efforts were already made by others to collect it (Bernard and Ryan 2010: 20). In the modern age of internet such data is readily available and accessible to most researchers. As data, which is already out there, it provides an opportunity for the researcher to review it again and again to answer different questions that researchers might have.

One of the key challenges with secondary and archival data is lack of authenticity (Bernard and Ryan 2010). Authenticity problem relates to the fact that the data that you are reviewing might not have been collected with the purpose that you have in mind now. In this case, there is no opportunity to explore or investigate certain questions and the researcher is left with information that may not answer all the questions that you have. At least with the data that you are collecting yourself you can go back and fill the blanks as you find them (Bernard and Ryan 2010). In addition to this, the researcher may also not know the motives or influences behind collection of this data.

According to Bernard and Ryan (2010), researchers using secondary and archival data need to ask themselves the following questions: what is the history of this data? How

was it collected? What guarantees are there that it is what it should be? Does the document contain any gaps? What is the author trying to achieve? What was the document intended for? To what extent was the writer telling the truth? Do other documents exist that can tell the same story? Clearly any serious researcher will not ignore any potential underlying influences in the way this data is presented. It is therefore essential that where possible this data should be triangulated with other sources to check for reliability and validity.

This research has relied significantly on reviewing secondary data, which has provided insights in the roll out of reforms in Malawi. The researcher has reviewed the following documents:

(1) **Policies**. The emphasis in this study was to select documents, which describe the reforms. The study has focused on laws and policies passed in Malawi from 1998 to 2011, which are related to decentralisation. Government of Malawi policies on decentralisation were also reviewed, covering the same period.

(2) **Government of Malawi/ Development Partners Programme Reviews**. The focus here was to investigate decentralisation programme reviews carried out by either Government of Malawi or its development partners that are involved in supporting decentralisation. The researcher focused on reviews that came out between 2004 and 2011.

(3) **Financial Information**. Here the researcher focused on analysing budget trends for district councils covering the period from 2004 to 2011. This information was useful in order to investigate funding patterns over time. The study has also reviewed district financial reports on allocation of development projects from 2004

(4) **Newspapers**. Newspapers are useful to understand societal discourse, and investigate 'current news' with respect to how reforms are being implemented. However these can also be biased. Setting the boundaries was relatively easy in terms of which papers to review. This is because the country only has two major newspapers. The research reviewed articles that came out on decentralisation and local governance covering the period from 2009 to 2013. This meant reviewing ten daily papers and two weekend papers every week. Articles written on decentralisation were cut from the papers and reviewed. The researcher also used online newspapers covering the same period.

(5) **Journal Articles**. A few articles have been written on decentralisation in Malawi. The researcher has reviewed articles, which cover the period from 2004 to 2011. A few articles were also reviewed for the period prior to 2004 in order to shed light for the background chapters of this study.

4.4   Data Analysis

Data analysis can be defined as the process of 'breaking down' the data and searching for meaning. Bernard and Ryan (2010) define analysis as the search for patterns and for ideas that assist to explain why those patterns are there in the first place. Data analysis is a painstaking exercise and can be quite lengthy process to undertake long after data collection has ended. According to Bernard and Ryan (2010), analysis starts before you collect data, when you begin to generate some ideas about what you are going to investigate, and it continues throughout the research effort. Data analysis involves development of ideas, and testing these against one's observations. This section described how data analysis in this study has been carried out.

During the data collection period, on-going preliminary data analysis was conducted to check what was coming out of the data. This process enabled the researcher to identify areas that required follow up. This process was also useful to determine whether the information collected was relevant to address the key research questions. During preliminary data analysis the researcher reviewed each transcript and secondary data. For each interview the researcher examined the source of the information, the contextual issues that might have affected the data, the picture from the data, and where follow up was needed. Through this process the researcher was also able to follow up on several issues with the some respondents.

Data was collected in Chichewa (local language). Immediately after completing each interview the transcripts were transcribed and translated into English. The immediate translation into English was deliberate considering that it also provided an opportunity to expand on the information. It has been explained under the ethical section that tape recorders were not used because they made some people uncomfortable mainly because of the topic and the political environment that existed in the country at the time of conducting the study. Therefore, the researcher relied heavily on written notes to document the information from each interview.

The study has used thematic analysis to analyse data. Thematic analysis is defined as a process of analysing data according to commonalities, relationships and differences across the data set (Gibson and Brown 2009). Themes are valuable in the process of narrative construction (Gibson and Brown 2009). Through use of themes data is broken down into sections that can easily be understood in order to tell the story from the data collected. According to Bernard and Ryan (2010), themes can either come from the data (inductive) or from our prior theoretical understanding of what we are investigating (deductive approach or priori). The themes used in this study have been

developed both inductively and deductively. Priori themes were developed based on some of the definitions from the literature on decentralisation, and theoretical orientations on the same. Additional themes have been developed inductively from the data. Bernard and Ryan (2010) argue that there is no way a researcher can anticipate all the themes that will come up before data is analysed.

Themes that were generated from the data inductively were developed through looking at repetitions in the transcripts as well as differences and similarities. Repetitions refer to the frequency with which a concept occurs in a text (Bernard and Ryan 2010). Systematic comparisons across units of data can lead to identification of similarities and differences, which in turn can lead to development of themes (Bernard and Ryan 2010: 58). Under both techniques (identifying repetitions, and similarities and differences) the researcher used simple tools, a pen and pencil to underline and highlight sections of texts. These sections were cut and organised around themes on flipchart papers. One of the challenges faced in this study was the large amounts of data that required to be handled through this manual system as opposed to use of computer software packages for analysis. The data analysis was painstaking and required patience and sense of organisation, both of which were achieved during the analysis.

Several codes were used in the data analysis. Structural codes were used to code names and places in order to protect the respondents' anonymity. In this case codes were used as encryption devices with the aim to hide information (Bernard and Ryan 2010: 87). With respect to themes the study used codes to index text. Using these theme codes, sections of data were marked where the theme was mentioned. Bernard and Ryan (2010) have pointed out that theme codes show where the themes that we have identified actually occur in a text. Theme codes are one of the most common

types of codes, and they are sometimes referred to as referential codes (Bernard and Ryan 2010: 76).

4.4.1 Validity and Reliability of Results

Bias is one of the challenges facing any type of qualitative research. Therefore every study needs to ensure that issues of validity and reliability have been carefully addressed. Validity refers to the extent to which the study has measured what it was supposed to measure, and reliability is the consistency with which it measures over time. Although validity and reliability of qualitative research should be measured differently from quantitative studies the aim is the same to control for potential biases that may exist at various stages of the research.

Throughout the data collection and analysis stages the study has used constant validity check to ensure that data is valid and reliable. The researcher has questioned data from each method by looking at five guidelines provided by Bernard and Ryan (2010) as follows:

(1) Observing any disagreements among key informants and focus group discussions. Where huge differences existed the study tried to explore why.

(2) Informant accuracy was explored to the extent possible. For example during interviews with representatives from political parties the study had to question some of the data and explore whether answers was based on political interests rather than experience on the ground.

(3) Negative evidence, which was contrary to the assumptions of the researcher was welcomed.

(4) Alternative explanations were explored on how things work at district level. All explanations were recorded and reviewed during analysis.

(5) Related to point 3 above, negative cases were reviewed with respect to the conclusions drawn up in this study. Conclusions were constantly questioned in terms of whether they still stood in light of some negative cases from data collection.

In addition to constantly checking validity of information being collected, this study has also used triangulation to ensure validity and reliability of results. Triangulation is defined as seeing things from different angles. Simons (2009) has pointed out that 'methodological triangulation', exploring key similarities between methods, and 'data triangulation', using different data sources to gain an understanding of issues, are common in case study research. This study used both methodological triangulation (use of different methods) and data triangulation (comparing data from different sources). Generally, collecting data from multiple sources can result in rich and detailed picture of the issue being studied. In analysis of data the researcher clarified his assumption up front, and the steps through which interpretations were made were clearly documented in a journal.

Although it was not the aim of this study to generalise findings across all districts in Malawi the researcher has attempted to show that decentralisation in the context studied can transfer to another context. This has been done through detailed investigations at district level and some analysis of the trends at national level.

4.5   Ethical Considerations

Ethical issues relating to protection of participants are extremely important in any research (Berg 2004, Punch 1994, Schram 2003). Every researcher in social sciences

has the responsibility to inform and protect respondents. Any social research involves seeking voluntary cooperation from people and the basic principle is that all respondents will be informed about the purpose of the study. One of the key ethical issues with respect to protecting participants is how information is collected. This study involved investigations on decentralisation, which had become quite a sensitive political issue during the reign of wa Mutharika. The study employed various mechanisms to ensure that respondents were well protected.

As a general principle there was strict adherence to SOAS ethical guidelines. First, all participants were asked for consent before interviews were carried out. The purpose of the study was explained, and where it was requested a supporting letter from SOAS was shared with the respondent. All respondents were informed that they had a right to opt out at any stage during the interview process. Signed consent forms were not used to reduce any possibility of breach in confidentiality.

Second, the study made sure that no money or gifts were given to the respondents in exchange for information. Apart from influencing respondents to go in a certain direction or to say more where little is appropriate, gifts and money can have a negative impact on future researchers coming to the same communities. Third, to protect respondents, names and other identity characteristics were kept confidential. In fact, the researcher took deliberate steps to ensure that no personal identifiers were stored with the data. A code linking the data to particular respondents was kept separately from the data collection sheets.

Fourth, for some respondents interview venues had to be shifted to places where they felt secure. For instance, the researcher conducted some interviews at other places outside offices because some respondents felt they would be more comfortable in an

environment outside the office. Participants were also asked whether they were comfortable with the interview being recorded. A large majority of respondents rejected use of tape recorder, and the researcher had to adjust and drop the use of the recorder for the rest of the interviews. This was understandable given that decentralisation had become a hot topic for a variety of actors in the country including donors, Government officials, Non Governmental Organisations, politicians, and chiefs. Focus group discussions and semi structured interviews at community level were held in closed spaces (in a classroom away from the village). This was done deliberately to ensure confidentiality, and to protect respondents from any repercussions that may arise due to their participation in this study.

Lastly, the researcher took cautionary measures to ensure that the information collected was secure and no one else other than the researcher had access to this information. Information was kept in a secure room at home with access to no more than two people including the researcher.

4.6   Limitations of the Study

In this study the researcher faced a number of limiting conditions some of which were beyond the inherent design of this study. Significant effort has been made to minimise the impact of these limitations. To begin with because analysis in qualitative research rests with the thinking and choices of the researcher, qualitative studies are in general limited by researcher subjectivity. Therefore one of the main concerns is that of researcher bias which influences interests and perceptions. One of the key limitations of this study is issue of subjectivity and potential bias resulting from the fact that the researcher is Malawian and has his own political inclinations, which may influence how he looks at issues. To address this challenge the researcher acknowledged his

assumptions up front. In addition, data was triangulated from different methods and interpretations were tested. Interpretations were also crosschecked against other decentralisation studies in Africa.

Aside from issues of bias the study also faced other challenges. In 2010 and 2011 the country experienced an economic crisis and this was followed by regular fuel shortages. This negatively affected travel plans to the district where the case study was carried out. The direct implication is that data collection was collected over a longer period than had originally been envisaged. To address this problem, the researcher used the time to interview national level actors as well as to begin the analysis of data. The ever-changing nature of reforms in Malawi also made it difficult to predict what would happen at any particular time. For example, during the time the study was being carried out a number of changes were made to the Local Government Act, which had huge impact in implementation of reforms. It was difficult to demarcate clear boundaries for the period being studied since review of each new development was essential to attempt to complete the puzzle. While this was a challenge, it also presented an opportunity to analyse what these new actions meant in the context of this study.

Between 2009 and 2011, the country also went through political tensions particularly as the ruling party, the Democratic Progressive Party (DPP) tried to consolidate its position, and come up with a successor to President Bingu wa Mutharika. There was intolerance for government criticism and this put the ruling party at loggerheads with the opposition parties, NGOs and some donors in the country. A few incidents happened whereby those who voiced criticism were attacked- some had their offices destroyed with petrol bombs. With respect to data collection this has an immediate effect of shutting people up because they are afraid of the implications of sharing

information. Thus decentralisation, which is already political in its nature, was also being heavily politicised. It was important to assure respondents that the information would be kept securely. Furthermore, for some respondents the interview had to be conducted in places outside their offices. The tensions in the country then also meant that one had to be careful in reviewing documents such as newspapers and programme evaluation reports some of which might have advanced a particular view of certain individual(s). The study has triangulated information from different methods and sources to address this. To protect the safety of the participants no recordings were made of the interviews.

Another challenge, which affected the writing up of this thesis, was the sudden death of President Bingu wa Mutharika in April 2012. His death nearly threw the country into crisis as the ruling Democratic Progressive Party (DPP) were not eager to handover power to Vice President Joyce Banda who had been booted out of the then ruling party due to succession wrangles. This event had the immediate effect of transferring power from the DPP to Peoples Party (PP) a new grouping formed by the then Vice President Joyce Banda. Such significant political developments also nearly threw this thesis off the mark. It became necessary to factor in the implications of these developments on the pursuit of decentralisation. Yet, rather than throwing this study off the trail, the events following the death of wa Mutharika have helped to enrich the discussions in this thesis. The new reign of Joyce Banda as President has provided a small window of opportunity to compare with her predecessors in terms of her commitment to reform.

Another limitation in this study was the unavailability of some information particularly on locally generated revenues and budgets at district level. This was due to poor data management practices in the district. For example, most of the old

financial data (>3 years) could not easily be tracked. When the researcher tried to find this information one of the data clerks at Salima district council indicated that the computer, which had this information, had 'crashed'. This information was not backed up anywhere else. Hence, the researcher could only access financial data for locally generated revenue covering two years, 2009/10 and 2010/11 from the district officials. Similarly financial reports were only available for the same period. The researcher managed to access some financial data on central transfers covering the period 2004-2010 from the National Local Government Finance Committee (NLGFC) in Lilongwe.

Finally, there were also technical problems. The laptop that the researcher was using crashed. The key data for the research was backed up in an external drive. However, the researcher still lost significant part of the bibliography. The researcher had to start all over again assembling this.

4.7   Salima: Profile and context of the district

This section provides an overview of Salima district. It is aimed at providing details on the political and socio-economic context within which the study took place. Salima district is located in Central Malawi, approximately 100 kilometres from Lilongwe, the capital city of Malawi. The district has a total land area of 2,196 square kilometres. It is located along Lake Malawi; as such it is one of the tourist attractions. The district has a vibrant township where district government offices are located. Salima district has a population of approximately 309,300 people (SEP 2006). 57.3% of the population lives below poverty line against the national standard of 52.4% (SEP 2006). Chewas and Yaos are the predominant tribes in the district, followed by

the Tongas. The main languages in the district are Chichewa and Chiyao. Over 60% of the district population practice Christianity followed by Islam at 30%.

Subsistence agriculture is the main source of livelihood for the majority of the population. Agriculture offers employment to over 80% of the population in the district. Maize is the major food crop grown in the district followed by sweet potatoes, cassava and rice. Agriculture is facing serious challenges due to inadequate extension services, effects of climate change and population pressure on arable land. Its entire eastern boundary is almost 100 kilometres of Lake Malawi with numerous beautiful beaches. There are over 70 hotels, tourist resorts, cottages and lodges that are providing services to an increasingly growing number of domestic and foreign visitors annually. The district has a community development department that provides community development services through community mobilisation, economic enhancement opportunities, capacity building, food utilisation and dietary diversification activities, and community based population educational activities. However, there are only 9 Community Development Assistants (CDAs) serving a population of 309,000. This translates to at least one CDA per Traditional Authority. The situation is similar to other districts in Malawi. For instance, Lilongwe district has one CDA per Traditional Authority.[6]

The district has a variety of social services in the areas of health and education. There are 123 primary schools owned by Local Education Authority, CCAP (Presbyterian), Anglican, Pillar of Fire and Methodist churches. The government also runs two conventional secondary schools and thirteen community day secondary schools. The district has its share of socio-economic challenges. Literacy levels are still low at 52% for men, and 48% for women. Access to education is negatively affected by host of

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[6] Data from Lilongwe Socio-Economic Profile, 2006

problems such as excessive walking distances, limited number of classrooms and shortage of teachers. The teacher-pupil ratio in the district is 1:100 against a national standard of 1:60. Salima has one district hospital and twelve health centres that are spread across the district. Delivery of health services is seriously handicapped by shortages of medical personnel. For instance, there are only 70 nurses against 152 established positions (SEP 2006: vii). This is not unique to Salima and many districts in Malawi are facing shortages in medical supplies and in the number of medical personnel available to serve patients. Salima district has high maternal and under five mortality rates. Just like in other parts of Malawi malaria and HIV and AIDS are two of the major causes of mortality and morbidity in Salima district.

Telecommunication coverage is expanding in the district. Internet and telephone services are readily available at district headquarters. There has been an influx of privately run bureaus that are providing internet and telephone services in the district. However despite the increase in coverage the majority of rural masses do not have access to these facilities. In fact, almost half of the population has no access to telecommunication, telephones, or email (SEP 2006: 87). The district receives radio and television coverage just like most parts of the country. Use of mobile phones has been on the increase and the whole of the district has cellular coverage. Still, the majority of the rural populations cannot afford to maintain a cell phone.

4.7.1 Political and Administrative Structure

On paper, the District Council (previously Assembly) is the main body that represents the system of local governance in the district. The District Council is composed of twenty-five wards, which have now been reduced to ten as per the amendments to the local government act in 2011. A councillor represents each ward. There are five constituencies in the district represented by five members of parliament (MPs) who

previously were ex-officio members of the District Council. A detailed figure on the composition of local authorities in each district in Malawi as per the 1998 Local Government Act has been included as figure four in chapter three of this thesis. Following the amendments to the Local Government Act in 2011 MPs now have voting powers in the Council. The other members of the District Council are ten Traditional Authorities and five members of interest groups representing women, youth, religious community, disabled, and business community. These representatives have no voting powers. The District Commissioner is the Secretary of the Council. However, local government elections have not taken place since 2005. In the absence of councillors there is a makeshift District Consultative Forum that comprises of the rest of the members other than councillors and other co-opted members such as Non Governmental Organizations. The Consultative Forum has no voting powers and cannot make binding by-laws.

A District Council Secretariat oversees implementation of directives made by the council. This Secretariat is charged with the responsibility to implement policies approved by the Council. The Secretariat coordinates programme implementation by various sectors and is responsible for ensuring efficient and accountable use of resources. The District Commissioner heads the Secretariat and is assisted by four directorates namely, Works, Finance, Planning, and Administration.

Below the Council there is a District Executive Committee as a technical arm. The committee is responsible for making proposals to the District Council on various projects and plans to be implemented in the district. The District Executive Committee (DEC) is composed of heads of departments from the Council Secretariat and representatives of Non Governmental Organisations (NGOs) that are present in the district. The Committee has a membership of fifty people. The DEC is responsible

for the formation, training and capacity building for development planning for lower level planning structures such as Area and Village Development Committees. The DEC representatives have the responsibility to implement projects and programmes in line with their ministries while reporting accordingly to the controlling officer, the District Commissioner (SEP 2006).

There are ten Traditional Authorities (TAs) in the district. In each of the Traditional Authorities there is an Area Development Committee, which is a representative body for all Village Development Committees under each TA. The Area Development Committee (ADC) is responsible for facilitating identification and prioritisation of needs that are forwarded to the District Executive Committee. The ADC also supervises and monitors project implementation at TA level. The ADC is composed of the Chairperson of the Area Executive Committee as the Secretary, ward councillors from the Traditional Authority, and representatives from religious groups, youth, women groups, and business community. The term of office for ADCs is three years except for ward councillors who are permanent members and can only leave when voted out during local government elections.

Under each ADC there is an Area Executive Committee (AEC), which is composed of extension workers from Government Ministries, NGO representatives and Statutory Corporations representatives in each of the Traditional Authorities. In total there are ten Area Executive Committees (AECs) in the district. The AEC is an advisory body to the Area Development Committee and supports needs assessment, project identification and project proposal preparation. A chairperson is elected from amongst the members. The AEC also carries out data collection and analysis and facilitates training and capacity building in development planning for all Village Development Committees within their area of jurisdiction.

The Village Development Committee is a representative body from a group of villages. Its responsibility is to facilitate planning and development in local communities. Village Development Committees operate under the Area Development Committees. Therefore, under each ADC there are several VDCs. The VDC is composed of one elected member from each village within the area of jurisdiction, ward councillor, four women representatives nominated by people from the area of jurisdiction and one elected extension worker. The term of office for the VDCs is three years. See the table below for the number of VDCs in Salima District.

Table 5: Village Development Committees in Salima district

Traditional Authority	Number of Villages	Number of VDCs
Maganga	62	10
Kalonga	195	22
Pemba	87	18
Ndindi	61	10
Khombedza	193	25
Kuluunda	31	3
Kambwiri	75	23
Kambalame	28	6
Mwanza	153	33
Msosa	46	8
District Total	**931**	**158**

Source: Social-economic Profile (SEP) 2006: 5

Figure five below shows the three tiers of chieftaincy at community level and corresponding levels of decentralised structures
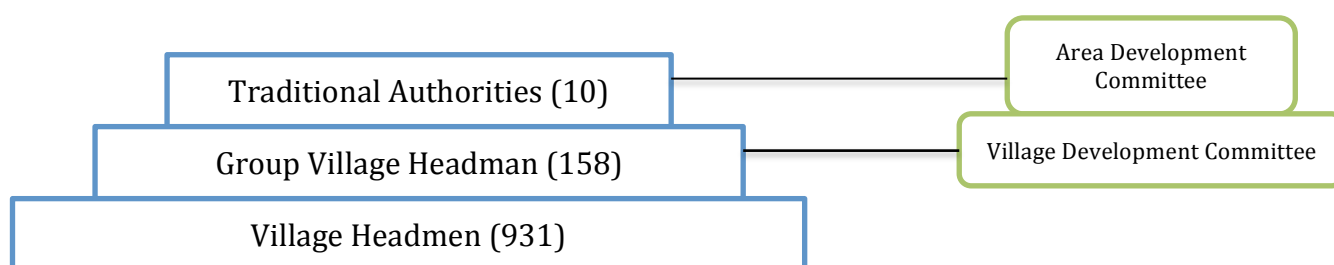
4.7.2 Non-Governmental Organisations (NGOs)

There is lack of data on the exact number of NGOs and CBOs in the district. Even the district council does not have an entire list of NGOs operating in the district. Yet,

after visiting the district headquarters it was obvious that there are many NGOs and CBOs in the district due to the number of offices that are occupied by these organisations. Some of the big NGOs in the district include ADRA, CARE, Save the Children, Actionaid, World Vision, FINCA, Water Aid, and Christian Service Committee. These NGOs provide a vast range of services in the areas of water and sanitation, health, education, agriculture, adult literacy, HIV and AIDS, microfinance and capacity building. There are also numerous Community Based Organisations (CBOs). CBOs provide social services such as awareness raising on HIV and AIDS, adolescent reproductive health, orphan care, home based care and human rights education. CBOs operate at community level usually covering one of more group village headmen areas. A network of NGOs exists in the district but this only has about 25 members. This is a potential area for mapping to understand the number and type of NGOs and CBOs in the district and the type of services that they offer. Some NGOs sit in the decentralised structures such as the District Consultative Forum, and also the District Executive Committee. At community level some of the NGOs are represented in the Area Executive Committees. The role of NGOs in various decentralised structures in the district is discussed in detail in chapter five.

4.7.3   Development Planning in the district

According to SEP (2006), development planning in the district is guided by the District Development Planning System (DDPS). The DDPS provides guidance on people centred and bottom-up participatory approach to planning and development (SEP 2006:6). Under this system, planning starts from the Village Development Committees and priorities are channelled upwards to the Area Development Committee that consolidates and submits priorities to the District Executive Committee (DEC). The DEC reviews the proposals before submission to the District

Council for approval. In an ideal scenario implementation does not start until the Council has approved the plans.

4.7.4   Local Politics

There are four main political parties in the district. These are, United Democratic Front (UDF), Democratic Progressive Party (DPP), Malawi Congress Party (MCP) and now since 2012, the Peoples Party. Previously Alliance for Democracy (AFFORD) was one of the main parties in the district but its support base has dwindled over the years. There are also other smaller political parties such as Maravi Peoples Party (MPP). In the 2004 parliamentary elections the Malawi Congress Party (an opposition party) won four out of the five seats in the district. The ruling party then, United Democratic Front won one seat. After the 2004 Presidential and Parliamentary Elections the then President Bingu wa Mutharika left the ruling party, UDF to form his own party, the Democratic Progressive Party. The single UDF MP in the district followed the President into the new party. In the 2009 general elections the parliamentary seats were more divided. The ruling party, DPP, won two seats, the Malawi Congress Party won two seats, and one seat went to a small party, the Maravi Peoples Party. However, it is worth noting that the MPP Member of Parliament was part of the ruling party (between 2004 and 2008) and left after he had fallen out of favour with the President. Therefore, he is considered to be relatively more powerful than he could otherwise have been with his small party.

4.8   Conclusion

To conclude, this chapter has provided detailed description of this study's research methodology. A qualitative case study (with embedded design) was used to explore whether the new form of decentralisation in Malawi has led to transfer of powers and

resources to local actors who are downwardly accountable. To strengthen prospects for transferability of results, the study has included a qualitative study at national level where policy is decided. Four data collection methods were used in this study, and these include; semi structured interviews, focus group discussions, informal conversations (unstructured interviews), and review of secondary data. All in all, 100 in-depth interviews and 41 focus group discussions were conducted. The data collected in this study was reviewed against existing theories and literature on democratic decentralisation and devolution. Validity and reliability were addressed through various steps in this research including constant validity check during data collection, and method and source triangulation.

This chapter has also described the political and socio-economic and administrative context of Salima district, which is the main case study in this thesis. Salima is representative of the large number of districts in Malawi with proliferation of more than one political party, an agricultural based economy with most households producing for their own consumption, and poor socio-economic indicators in a number of areas.

Chapter Five

5. More centralisation and capture: The case of Salima district

Will benefits of democratic decentralisation or devolution be realised in Malawi? The main assumption with this question is that reforms are occurring in a way that they were designed to, and therefore one can examine a direct cause-effect relationship. Perhaps the first question to ask then is 'what is the reality of reforms in Malawi' or 'are reforms happening in the way they were expected to, and along the lines of devolution and democratic decentralisation'? If reforms do not bear full resemblance to the desired form of 'devolution' then it is unlikely that intended benefits will occur. This chapter examines the implementation of decentralisation in one of the districts in Malawi, Salima, and argues that reforms are not transferring powers to downwardly accountable actors. Instead, there are so many challenges and decentralisation seems to be deviating from the way that it was envisioned in the Constitution and the Local Government Act of 1998.

This chapter will show that there is plenty of blame to pass around---political (ruling) and bureaucratic elites undermining reforms through centralising tendencies; Ferguson's 'side effects' (see: Ferguson and Lohmann 2006) with certain groups of local actors capturing reforms and gaining significant powers which are used to informally influence decisions; and actions of NGOs and donors that look for quick results through bypassing formal decentralised structures and earmarking funds, and in so doing undermine the very same decentralisation reforms that they promote under the good governance agenda. Therefore, the main finding in this chapter is that despite the rhetoric around devolution or 'democratic decentralisation' as the preferred form the reality in the implementation of reforms is different. And since

these reforms do not meet the conditions of devolution discussed in chapter two it is unlikely that Malawi will see many of the potential benefits particularly with regard to enhancing local democracy and local development.

This chapter starts by discussing the political context and defining the key actors with formal and informal influence in Salima district council. The financial mechanisms are discussed next before moving on to examine the politics of decision making with regard to resource allocation.

5.1   Understanding of decentralisation in Salima district

There is a legitimate question to be asked in terms of how democratic decentralisation is understood in the district and what the expectations are from various groups. All the respondents interviewed in this study have heard about decentralisation. In local language, several respondents referred to decentralisation as 'mphamvu ku wanthu' (power to the people). Decentralisation is strongly linked to the development process:

> 'It means giving power or chance for the community to decide which development projects they want in their areas, according to their needs. We expect the areas to develop, as people will be prepared to participate in their own projects…'
>
> *Focus Group Discussion, Area Development Committee (ADC), Traditional Authority 3, 15 August 2010.*

Another respondent defined decentralisation as:

> 'Yes I know decentralisation. It means development must start from the people by expressing their needs to the government..'
>
> *Interview, Village Development Committee (VDC) Chairperson, T/A Khombedza, 2 August 2010.*

A religious leader in the district defined decentralisation as:

'Transferring power from the central government to districts down to the people to have a right to choose what development projects they need. The expectation is that there can be meaningful development in this areas as people's needs will be addressed..'

Interview, religious leader, CCAP church, 4 September 2010.

Based on the interviews there seems to be strong understanding of decentralisation particularly as it related to development planning process. Responses provided by a range of actors including district council officials, chiefs, religious leaders and members of political parties describe decentralisation as relevant to ensure that local people are allowed to make input into the identification of development priorities for the district. In a way this may reflect the enormity of expectations linked to decentralisation at the local level, with various respondents expecting reforms to address their needs. Decentralisation was also seen as beneficial since it will bring back councillors who are considered more effective in contrast to MPs. Several respondents pointed out that the district is not faring well now in terms of development projects due to the absence of councillors:

'..Things are worse now as there is no one to lead the communities in development as councillors used to do. A school block was built in this community using molded bricks at the time…'

Interview, Village Headman, Traditional Authority (T/A) Pemba, 11 November 2010.

In Traditional Authority Khombedza's area a chairperson for a Village Development Committee also claimed that councillors had been very effective:

'During the time there were councillors here, we had some development projects. A teacher's house was constructed here…At the moment nothing is happening..'

Interview, VDC Chairperson, T/A Khombedza, 2 August 2010.

However, other respondents also argued that the district did not see significant progress in planning and execution of development interventions during the period when the councillors were in place. According to a key informant there was still a lot of influence from above which rendered the whole exercise useless since priorities were centrally determined:

'There were a lot of problems here. The district here followed centrally set priorities. The Assembly was setting plans but central government would commit limited resources. Only councillors on the government side benefitted and this was in the Salima South constituency..'

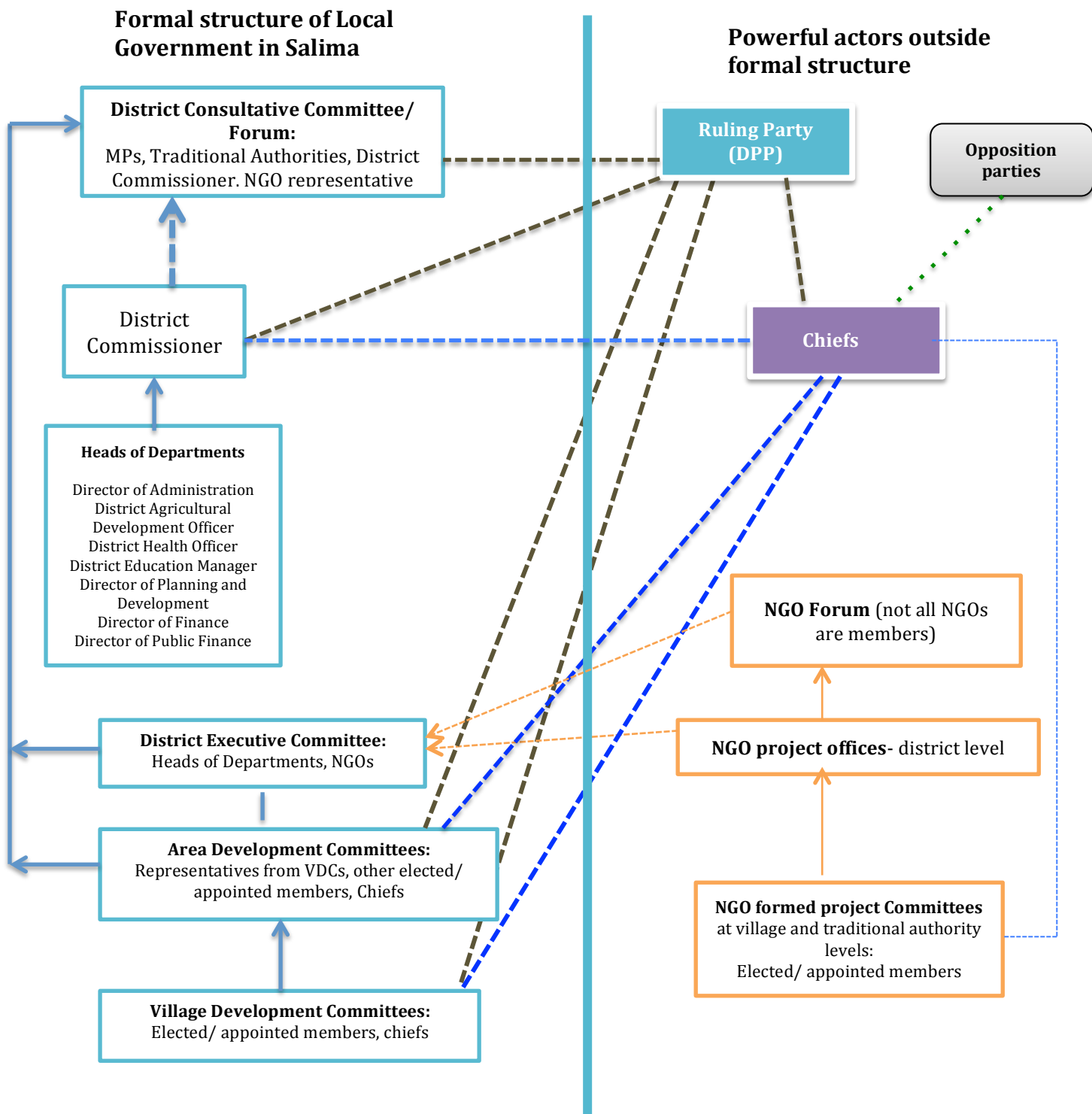*Interview, National Initiative for Civic Education (NICE) official, 12 November 2010.*

This second view is supported by scholars such as Chinsinga (2008) who have argued that democratic decentralisation in Malawi did not contribute much towards poverty reduction during the period when there were councillors. A detailed analysis of reforms during the UDF era (when the country had councillors) has been included in chapter three.

5.2 Political context in Salima district

During the data collection in 2010 and 2011 it was established that there were four political parties that were well established at that time in the district, and these were; Malawi Congress Party, United Democratic Front, Democratic Progressive Party, and Maravi Peoples Party. In 2012, following the death of Bingu wa Mutharika, the new

ruling party, Peoples Party, has established itself at district level. Due to the fragmentation of political party support alongside regional lines in Malawi, the central region has predominantly voted for the Malawi Congress Party, an opposition party since 1994. Therefore Salima, which is also in the central region, has tended to vote for more MCP MPs rather than for the ruling party. MCP dominated parliamentary seats in the 1994, 1999 and 2004 general elections. MCP also had most councillors during the only local government elections in 2000. In 2004 general elections only one parliamentary seat went to the then ruling party, UDF. In 2009, two out of the five seats went to the then ruling party, DPP, and one seat went to a small party, the Maravi Peoples Party. So on paper, MCP seems to have had dominance in district politics at local level. In practice, subsequent sections of this chapter will show that the ruling party, though in minority, has had a lot of influence in the district. Members of Parliament are one of the influential actors in district politics.

In addition to the presence political parties described above, other influential actors in district politics in Salima include, local bureaucrats (led by the District Commissioner), chiefs, and Non Governmental Organisations. Local bureaucrats participate in both policy and technical bodies of the local government in the district. Chiefs operate in policy making bodies at district level, and also in decentralised decision making bodies at community level. On the other hand NGOs are represented in policy and technical bodies of the local government. These actors participate in the formal structure of local government in Salima district. These actors play key formal and informal roles in the local government structure shown below:

Formal structure of Local Government in Salima

District Consultative Committee/ Forum:
MPs, Traditional Authorities, District Commissioner. NGO representative

District Commissioner

Heads of Departments

Director of Administration
District Agricultural Development Officer
District Health Officer
District Education Manager
Director of Planning and Development
Director of Finance
Director of Public Finance

District Executive Committee:
Heads of Departments, NGOs

Area Development Committees:
Representatives from VDCs, other elected/ appointed members, Chiefs

Village Development Committees:
Elected/ appointed members, chiefs

Powerful actors outside formal structure

Ruling Party (DPP)

Opposition parties

Chiefs

NGO Forum (not all NGOs are members)

NGO project offices- district level

NGO formed project Committees
at village and traditional authority levels:
Elected/ appointed members

Figure six: Formal Local Government Structure, and other powerful actors outside formal structure

The direction of arrows in the formal structure of local government in the district represents accountability lines. At the top of the local government structure in the

district is the District Consultative Forum (DCF) where MPs, Chiefs, the DC and one NGO representative supposedly sit to make decisions in the district. Below the DCF, is the District Executive Committee (DEC) comprising NGO representatives and heads of departments from the council secretariat. The DEC is responsible for making recommendations for development programmes, which then are approved by the DCF. At community level there are two structures, the Area Development Committee (ADC), at Traditional Authority level, and Village Development Committee (VDC), which exists in each Group Village Headman area. The ADC and VDC are involved in the planning of development programmes in the district as well as in the implementation of project activities. Outside this formal structure there are numerous NGO formed project committees that are playing a key role in implementation of NGO funded development activities at community level. The project committees are accountable to the NGOs and not through the formal local government structure.

The right hand side of figure six shows the significant role played by NGOs outside the formal structure of local government. On the same right hand side, it is also shown how the then ruling party had influence over the District Commissioner, the District Consultative Forum and the Development Committees at community level. There is also de Sardan's chiefly mode of local governance (see: de Sardan 2011) with chiefs exercising formal and informal influence in the formal local government structure in the district from the top to the community levels. In most cases the influence of chiefs and that of ruling party are not contradictory with regard to each other. Rather, the interests of the ruling party are best served through collaboration with chiefs. Generally, all MPs (whether from ruling party or opposition) tend to work with chiefs from their constituencies to advance their development agenda at district level.

However, evidence from this thesis suggests that opposition MPs do not have significant formal and informal influence on the decisions made within the formal local government structure. These structures, the actors, and the politics of resource allocation are described in detail in the subsequent sections.

5.3 Outlook of Local Government without councillors: Functions of key structures and actors

The absence of councillors in Salima (and other districts in Malawi) has left a vacuum within the councils where these elected representatives had voting powers on various policy issues in the district. This means that at the moment there is no formal body with binding powers to make local policy and decide on local matters. Only Members of Parliament (MPs) and Traditional Authorities are still in place and constitute what remains of the council. Up until 2010, both MPs and Traditional Authorities had no voting powers. This changed in 2010 when MPs were granted voting powers.

Due to the vacuum left by the absence of councillors the Ministry of Local Government and Rural Development issued a directive in 2005 to all districts to form a District Consultative Committee. This Committee (shown at the top of the local government structure in figure six) plays an advisory role at district level with regard to matters which would have previously been dealt with by councillors. The Ministry also provided guidance to all districts on the composition of this consultative committee. In Salima, the District Consultative Forum was established in 2005. As an advisory body the District Consultative Forum (DCF) does not have legal mandate to pass by-laws or vote on certain decisions to be implemented by the District. The DCF is also referred to as 'expanded District Executive Committee' while others describe it

as 'District Advisory Committee or Forum' (DAC/ DCF)[7]. This lack of common name suggests some ambiguity as regards the role of this structure. For instance, 'DEC' is associated with a structure composed of local bureaucrats and NGO staff, while 'Advisory or Consultative Committee' defines the functions of the committee as that of making recommendations. However, it is not clear to whom this committee provides 'advice' as the DCF/DAC is the highest body in the current structure of local government in the district.

In the district, the DCF or expanded District Executive Committee (Expanded DEC) is made up of the ten (10) Traditional Authorities in the district, five (5) Members of Parliament (MPs), one (1) representative from each of the three largest sector ministries (Agriculture, Education and Health), one representative from NGOs in the district, the District Commissioner and the Director of Planning and Development. The last two are officials from the District Council Secretariat. Out of these actors, only the Members of Parliament (MPs) are elected representatives. The rest, such as chiefs and government officials are non-elected officials. In 2010, changes were made to the local government act and MPs were granted voting powers in local councils. However, since the DCF is only an advisory forum, the MPs are yet to exercise their voting powers at local level. The fusion of legislative and executive functions in the District Consultative Forum compromises the ability of this structure to provide checks and balances (Chiweza 2010). For instance, the DCF membership includes the DC and his staff, the very same people that are accountable to the DCF as the highest structure at district level.

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[7] Interview, German Development Agency (GIZ) official, 5 August 2010; Interview, Salima Council Secretariat staff member, 3 September 2010; Interview, CARE official and member of Salima District NGO Forum, 3 September 2010.

The major difference between the DCF and a Council (with councillors) is that the former has several categories of actors who are not elected representatives, and these actors are now making decisions on behalf of the district. The DCF in Salima has a wide range of functions, which includes; reviewing annual sector plans, budgets, and making decisions on how other centrally formulated development projects should be implemented. The District Commissioner and sector heads put proposals before the forum, which then debates before approving them. In some cases amendments are made on these plans. According to key informants, in some cases combative debates have occurred when district officials have presented allocations to different constituencies based on needs. Here the debates have been along the lines of trying to capture the projects so that they should be implemented in one's area.[8]

In most cases it seems that the discussions in the forum are amicable with members approving the plans and budgets submitted by district officials with little or no amendments. Some district officials have observed that members were reluctant to question proposals brought before the committee. As a result, discussions mostly tended to agree with the recommendations brought before the committee.[9] Therefore in the majority of cases the DCF may be merely rubber-stamping decisions made elsewhere. There are strong indications that there is a lot of informal influencing. A council employee noted that there are a lot of visits from MPs and Traditional Authorities to the District Commissioner's office and other sector heads. During these

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[8] Interview, Salima District Council Secretariat staff member, 3 September 2010; Interview, GIZ official, 5 August 2010; Interview, Adventist Relief and Development Agency (ADRA) official, 30 July 2010.
[9] Interview, former National Initiative for Civic Education (NICE) Coordinator, 1 August 2010; Interview, Actionaid official, 18 October 2010; Interview, Salima District Council Secretariat staff member 2, 5 September 2010.

visits the MPs and chiefs often lobbied for support in their areas.[10] The ability of these MPs and chiefs to influence decisions varies and is often dependent on the 'right connections' with the ruling party elites.[11] In general, the DCF was considered toothless in ensuring proper running of the council. Instead, it endorsed recommendations already made. One member of the DCF mentioned that:

> '…we discuss resource allocations mainly from the Local Development Fund. But I can tell you that only small changes are made. It appears that whatever is proposed by the Secretariat Team led by the District Commissioner is rarely questioned..unfortunately we are not told how finances are spent..'
>
> *Interview, Salima Council Secretariat Staff member 2, 5 September 2010.*

NGO representatives who sit in the DCF have expressed similar views on the inability of the forum to influence key decisions. Worse still, the meetings of the DCF were not regular, and when it met the meetings were mostly to share information on how development projects had been allocated in the district.[12] There is limited attention to the strategic role of the Council, for example the DCF does not periodically review the performance of the Secretariat and fails to play an oversight role on how finances are allocated and spent.

5.3.1 District Executive Committee

Under the DCF, there is a District Executive Committee (DEC), which is a technical arm of the council and is responsible for implementing the decisions of the council.

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[10] In-depth Interview, Salima District Council Secretariat Senior Staff Member, 8 September 2010.

[11] Interview, former NICE Coordinator, 1 August 2010; Interview, GIZ official, 5 August 2010.

[12] Interview, ADRA official, 30 July 2010; Interview, former NICE Coordinator, 1 August 2010.

The DEC also oversees the development and implementation of the District Development Plan. The DEC is made up of heads of departments at the Council Secretariat, sector heads,[13] development partners represented in the district, and NGO representatives. These members of DEC can be put into two categories as follows: (i) government officials, and (ii) NGO representatives.

The DEC in Salima meets frequently but largely on an ad hoc basis. Usually, the meetings are as a result of requests from various organisations that want to present their activities or new projects to the district. Council members consider these meetings important as they facilitate information sharing and coordination of activities at district level. This view is shared by NGOs who consider DEC meetings essential to avoid duplication of activities. For example, during DEC meetings organisations can be advised on where to take new projects. However, NGO representatives found the DEC meetings expensive because government staff demanded allowances particularly where NGOs had called for the meetings:

> '..if a DEC meeting is organized by the Council Secretariat no allowances are paid by the Council, but the moment an NGO requests for a meeting to present a project they are told that they must pay allowances to participants. Failure to pay allowances means that the meeting will not take place…'
>
> *Interview, CARE official and member of NGO Forum, 3 September 2010.*

To address this problem the NGOs working through their NGO Forum have agreed to standardise allowances. The NGOs have also agreed that they need to coordinate meetings. For example, rather than each NGO calling for its own DEC meetings, several NGOs can work together to present their projects during one meeting.

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[13] Sector heads lead the various sector ministries represented at district level, and these include health, education and agriculture as the big three, and other smaller ministries such as water, gender, forestry, youth, information, etc.

Although the DEC has the primary mandate to act as technical arm for recommending development priorities in the district, the committee members lack the necessary tools to work effectively. For instance, most DEC members do not have copies of the District Development Plan (DDP). While collecting data for this study the researcher could not find a copy of the plan with any of the secretariat staff or NGO representatives that were interviewed. None of the people interviewed knew where to find a copy. After several days of following up with the Director of Planning and Development one copy was finally found. This does suggest that discussions in the DEC are not guided by the DDP.

When it comes to debates in the District Executive Committee the heads of sectors are careful not to contradict the District Commissioner in public.[14] For this reason contributions of sector heads and other government officials in District Executive Committee are more cautious. On the other hand, NGO representatives in the DEC can speak freely possibly because their lines of accountability are elsewhere. A donor representative noted that:

> '…It was more difficult for Heads of Departments or other Government Officials to question the recommendations or decisions from the District Commissioner. Once it is presented that something has come from the DC, these people are quiet…the only alternative views come from NGOs who cannot be sanctioned by the DC here…'
>
> *Interview, GIZ official, 5 August 2010.*

Although the sector heads take this position in the DEC it still does not take away the fact that the powers of the DC over sectoral activities are limited due to the oversight role that central ministries continue to play. This is explained in the next section below.

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[14] Interview, Salima District Council Secretariat staff member 3, 21 December 2010.

5.3.2 District Commissioner- The 'Bwana' in crisis of control and accountability

The District Commissioner (DC) is the head of the Council Secretariat in the district. He is referred to as 'abwana' ('the boss').[15] As the head of the secretariat the DC oversees planning, administration and finance functions of the council secretariat. The DC also directly supervises all the heads for the devolved sectors in the district. Currently only 14 sector ministries, including the big three (agriculture, education, health) have carried out varying degrees of sector devolution in the district. The DC is also the Controlling Officer (CO) and approves budget spending for all devolved ministries and departments at district level.

Up until 2009, District Commissioners in Malawi were supposed to be recruited through the Local Authorities Service Commission (LASCOM), an independent body tasked with the responsibility to oversee recruitment and performance management of District Commissioners. The thinking behind this was to reduce political influence in how the DCs discharge their duties at the district level and to ensure that they were recruited by a more independent entity.[16] If Local Council was not satisfied with the performance of their DC it had a right to complain to LASCOM for removal of the DC. Between 1998 and 2004 LASCOM was operational under the United Democratic Front (UDF)-led Government.

Over time, a combination of changes to the Local Government Act and inconsistent policy implementation have eroded the powers of the District Commissioner in the district. The previous regime under Bingu wa Mutharika (2004-2012), abolished

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[15] Interview, Salima Council Secretariat staff member, 3 September 2010; Interview, Group Village Headman, T/A Kambwiri area, 14 December 2010.
[16] Interview, Senior official- Ministry of Local Government, 6 October 2010.

LASCOM in 2009 and returned the powers of appointment to the President through the Minister of Local Government. This means that the Minister of Local Government appoints and removes DC. This has direct implications on the neutrality of the DC. Coupled with the informal influencing, which has been discussed earlier, the DC is under pressure to serve both central and local interests. The current DC in Salima is relatively young in his late thirties. He is just beginning to develop a career in Government and this may make him more pragmatic as he juggles to protect his position and build his career. It is likely that he will lean towards those who have more influence over his career path. One government official within the Ministry of Local Government has suggested that the changes to the Act were because the wa Mutharika administration wanted to strengthen their grip on local councils. He pointed out that:

> 'The UDF government was interested in rolling out reforms because they felt that they had an absolute majority in terms of the number of councillors in almost all districts. The Mutharika administration started as a minority and has to find ways to hold on to the Local Councils. By making District Commissioners accountable to the Minister, the Government was making sure that these became political appointees to serve the interests of the ruling party...'
>
> *Interview, Senior official- Ministry of Local Government and Rural*
>
> *Development, 6 October 2010*

At a time of writing up this study the District Commissioner had just received his notice from central government to move to another district. A new District Commissioner had already arrived in the district and is operating from home. According to the Nyasa Times (2012), there was tension in the district as the former DC was not eager to leave quickly while the new DC wanted to take up his post as soon as possible. Since DCs are at the mercy of central government in terms of

transfers and promotions, they are likely to focus much of their attention on how to please the centre. This can undermine decentralisation since it places more control over the local arena in the hands of the ruling elites at the centre rather than locally elected representatives. The Joyce Banda government, which came to power in 2012, promised to conduct local government elections in 2014. It is yet to be seen how this will change the accountability lines since councils have oversight role on the activities of the council secretariat. However, the current status quo whereby the DC is a political appointee by the centre, offers little promise that the aims of decentralisation as envisaged in the decentralisation policy of 1998 will be achieved.

The slow pace of devolution by sectoral ministries has eroded the authority of the District Commissioner (DC) in the district. This is evident in two areas: oversight over district sectoral budgets and plans, and supervision and management of district staff. So far, only fourteen sector ministries have devolved their functions, and even for these it was mostly the ORT budget that had been transferred to the districts.[17] Development budgets still remained under central control. According to a senior government official from Ministry of Local Government:[18]

> '…there is still a lot of resistance from sector ministries to devolve their budgets.
> Holding on the development budgets means that the central ministries still have the
> powers to reallocate resources…'

This slow pace of devolution and continuing role of central ministries in development budgets have led to a lot of vertical planning within each Ministry. For example, in the education sector the procurement of teaching and learning materials as well as

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[17] Interview, UK's Department for International Development (DFID) official 2, 15 October 2011; Interview, World Bank official, 12 May 2011; Interview, Senior official- Ministry of Local Government, 6 October 2010.
[18] Interview, Senior official- Ministry of Local Government, 6 October 2010.

construction of new schools and school blocks is done centrally.[19] As a result, the District Commissioner as the 'bwana' cannot properly supervise the affairs of all the devolved sectors. Key ministries such as education, health, agriculture, water, and others continue to develop district (sector) plans that are approved by the headquarters of each ministry in Lilongwe.[20] According to a key informant:

> '…These plans are formulated through a parallel process, with central ministries approving the final plans….'
>
> *Interview, Ministry of Development Planning and Cooperation Staff member, 2 March 2011.*

Such practices undermine the role of the DC and the efforts to integrate development budgets at district level.

Currently, sector heads are faced with a dual system of accountability – reporting to their parent central ministry and to the District Commissioner (DC). When it comes to policy the central ministries have more influence and oversight on activities by the sectors.[21] Central ministries are still responsible for recruiting, firing, and transferring all their permanent staff in the district. For example, the District Health Officer in Salima can be transferred at any time and without consultations with the DC. In fact, the District Education Manager in Salima was at one point transferred and the DC only learnt about it after the decision had already been made.[22] To make matters worse salaries are still centralised, and sector ministry staff are paid centrally. This has undermined the role of the DC in overseeing the functions of all government

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[19] Interview, Salima District Education Office staff, 7 September 2010.
[20] Interview, Senior official, Ministry of Development Planning and Cooperation, 2 March 2011.
[21] Interview, Senior official- Ministry of Local Government, 6 October 2010.
[22] Interview, former National Initiative for Civic Education (NICE) Coordinator, 1 August 2010.

departments in the district. The various government heads claim that they are in good working relationship with the DC because they understand his role as the overseer. Yet, on the other hand plans continue to happen without full consent from the DC, and staffing is still centrally controlled. The staff members in partially devolved sectors report to the DC mainly on ORT issues, and they continue to report vertically to their sector ministries on major issues such as recruitment, promotions, training, transfers, and management of development budgets.

The DC leads both the DEC and DCF meetings. This puts the District Commissioner (DC) is in a powerful position in the district. However, the real picture is much more complex and the later sections of this chapter will discuss how the DC often has to be pragmatic and juggle around to ensure support from other actors who have more informal influence in the district and beyond.

5.3.3 Chiefs: 'New Unaccountable Councillors and capture of local committees'

Chieftaincy is a hereditary position in Malawi. No one is elected to become chiefs. One becomes chief by virtue of being related to a deceased chief, either as a son, brother or nephew. In exceptional cases this can extend to a female relative, for example, daughter. The fact that chiefs are not elected representatives mean that they cannot be held to account through normal democratic practices such as elections. Within the Chiefs Act, the District Commissioner, acting on behalf of the President has powers to supervise chiefs. A large majority of chiefs are men. This is because in many parts of the country chieftaincy passes either to the oldest son or oldest nephew. In fact, all but one of the Traditional Authorities in Salima district are males. All the village headmen interviewed in this study were also men. It is an exception rather than a norm to find female chiefs in Malawi. As a result, all the chiefs sitting in the

DCF are male. Although it was beyond the scope of this thesis to explore the implications of such a gender imbalance the sheer lack of women representatives amongst the chiefs may limit opportunities for women to influence the decisions in the DCF.

Chiefs are one of the key actors in the district development planning process at various levels in Salima district. Traditional Authorities (TAs) are non-voting members of the Council. In the absence of the elected councillors TAs have even a bigger role in the District Consultative Forum. At community level, Traditional Authorities supervise the Area Development Committees, while Group Village Headmen below them supervise the Village Development Committees. The ambiguity in the Local Government Act has allowed the chiefs to become leaders of most ADCs and VDCs. According to one NGO official:[23]

> '..chiefs are monopolizing Area and Village Development Committees and putting in their relatives..Traditional Authority Khombedza has put his relatives in the Area Development Committee. He even influences Community Based Organisations to include his relatives..'
>
> *Interview, Actionaid official 2, 18 October 2010.*

In another Traditional Authority area a Village Headman defined the influence of the Traditional Authority and Group Village Headmen as follows:

> '..In this ADC members include relatives of the Traditional Authority [T/A]. Most of the members have been selected from the area of a Group Village Headman related to the T/A. It is only the T/A who can fire them…'
>
> *Interview, Village Headman, T/A Kalonga, 26 July 2010.*

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[23] Interview, Actionaid official 2, 18 October 2010.

In Traditional Ndindi's area a NICE volunteer claimed that capture of these structure by chiefs was due to self-interests:

'…Chiefs' relatives are the main actors in the ADC and VDC. For example in Group Village Headman [X] and [Y] the chiefs chose their relatives and imposed them on the people despite calling for meetings to conduct elections. Only the chiefs have powers to fire these members since they selected them. These people [members of ADC and VDC] cannot make decisions on their own without input from the chiefs… The decisions they make are those of the chiefs…Chiefs are selfish and think about what they will benefit…'

Interview, NICE Volunteer, T/A Ndindi, 5 March 2011.

The national elites under wa Mutharika have also sought to influence the loyalty of chiefs by increasing the Traditional Authorities' honorariums (allowances) from K5,000 to K50,000. This increase was well received by most chiefs.[24] On the other hand, amendments were also made to the Chiefs Act to give the President more powers to promote chiefs and to sanction non-performing chiefs. Given these powers, most chiefs are likely to act in ways that please the ruling party and the sitting president. As an example of how these powers have been exercised, the UDF government promoted TA Ndindi in the district to Senior Chief because he was supportive of the ruling party in the district. During that period Traditional Authority Ndindi was one of the chiefs that mobilised support for Hon. Uladi Mussa who won a parliamentary seat for Salima South constituency on a ruling party ticket.[25] The promotion of Senior Chief Ndindi came at the expense of TA Kalonga who was the most senior chief in the district and hence a favorite to be given the senior position amongst chiefs in the district. Under the wa Mutharika administration, which came to

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[24] In all interviews with chiefs they mentioned that the wa Mutharika administration was responsive to their needs based on this salary increase.
[25] Interview, former NICE Coordinator, 1 August 2010.

power in 2004, there was chieftaincy wrangle for the position of TA Kalonga as different family members claimed rights to the title. Government intervened and favored one side. Once enthroned the new chief became supportive of the DPP regime.[26]

As it has already been argued because of the president's powers to hire or fire chiefs, and also based on the incentive of a higher salary many chiefs are under pressure to please the centre, and particularly the president. The role of chiefs in politics was clearly demonstrated during the succession wrangles that engulfed the then ruling DPP. There were tensions in DPP following the move by President wa Mutharika to have his brother succeed him as the presidential candidate. Wa Mutharika and other ruling party officials used chiefs to garner support for the President's brother. Chiefs were paraded on public media (TV and radio).[27] These chiefs spoke in support of the candidacy of the President's brother. Several chiefs in Salima such as TA Kalonga also endorsed wa Mutharika's brother. This clearly demonstrates exercise of patronage and clientelism system whereby in return for favors from the big man ('the President') the chiefs were ready to act in ways that demonstrated support to the centre. To secure loyalty of the chiefs the president and other ruling elites also have to ensure that rents are transferred to the chiefs, for example the honorarium and promotions. In exchange for this loyalty the president can promote chiefs or provide other incentives, for example, in the case of Kalonga he was favored in a chieftaincy wrangle. Chiefs are ready to support government policy even when they are not the experts on the topic. For instance, several chiefs including TA Kalonga came out in the open to support the late President's stand that the local currency should not be

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[26] Interview, former Salima AIDS Support Organisation official, 29 June 2011.
[27] It was a common feature during wa Mutharika's rule, chiefs were interviewed on MBC television and radio (state broadcaster). They would express their loyalty and support to the President and extend the same to his brother.

devalued.[28] This loyalty to the centre comes at the expense of accountability to the masses.

Roles such as dispute resolution and custodianship of land also make chiefs very powerful individuals in rural communities. Since the one party government, which fell in 1993, chiefs have continued to operate as custodians of customary land. In Traditional Authority Khombedza a chairperson of one VDC emphasized this role of chiefs as custodians of land:

'..Our Traditional Authority here is very powerful because chiefs are the owners of the land, so what they say is final, nobody can change or object to it….'

Interview, VDC chairperson, T/A Khombedza, 2 August 2010.

Increasingly, chiefs are also overseeing sale of customary land to middle and upper class citizens. This is illegal as no customary land is supposed to be sold or transferred to the ownership of people from outside the village. The huge prices pegged to land being purchased by outsiders provide a fertile ground for bribes, which are benefitting the chiefs.[29]

The role of chiefs in dispute resolution goes back to the colonial period when chiefs were given the responsibility to hear minor civil cases at community level. During both one party state and under the current regime, chiefs have often 'over-extended' their powers to criminal cases. It is not unheard of in Salima district to find a chief

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[28] MBC television and radio interviewed chiefs as experts on devaluation and its impacts on the people. They all aligned with the former President wa Mutharika who refused to devalue the currency.

[29] It is a well known fact in Malawi. Malawians and foreigners with money are buying customary land from the poor, and chiefs usually broker these deals.

dealing with serious cases including rape. During this study one senior chief lightly told the researcher that:

> '..I also have female members in the ADC. Otherwise how can I handle rape cases when we may be required to see the physical evidence that rape actually occurred…?'
>
> *Interview, Traditional Authority (T/A) 1, Salima district, 29 October 2010.*

Under the Constitution of Malawi chiefs are not allowed to hear criminal cases, and especially those that are very serious such as rape. The role of chiefs in such cases seems to be accepted locally by communities, and as a result chiefs often deal with a number of such serious cases. This example shows that some chiefs have 'over-extended' their informal powers and are carrying out functions that are beyond what is formally written down. This is the challenge for decentralisation in Malawi since the informal powers and relationships may dominate over any formal arrangements.

The role of the chiefs over dispute resolution at local level is being revisited with the passing of the Local Courts Act in 2011. The Local Courts Act transfers the responsibility for hearing minor civil and some criminal matters to Local Courts, which will be created below the third grade magistrate tier. A Local Court will operate at Traditional Authority level. However, there are already a lot of ambiguities with respect to the role of chiefs. For instance the new Act is not clear on whether chiefs will stop mediating small disputes at community level. Also, the Act calls for identification of assessors to sit in the Local Court. The assessors will review evidence and make judgments. The Act has stipulated that assessors must have good knowledge of customary law of the land. Chiefs are often the ones with excellent knowledge of customary law. Hence, it is possible that chiefs might be selected as assessors. So far there is no indication as to when the new Local Courts will be implemented. Since this requires a lot of resources it may take years before it is

implemented. Meanwhile, chiefs may continue to exercise their powers to solve disputes locally.

The relationship between chiefs and the centre has given the former more powers locally. Chiefs such as Kalonga who had close ties to the wa Mutharika administration had more powers in the district in contrast to Traditional Authorities from opposition areas.[30] Their influence is exercised on the DC who ensures that the needs of certain powerful chiefs are taken into consideration. Other powerful chiefs that had aligned themselves with the then ruling party in the district include Traditional Authorities Kalonga, Khombedza and Kambwiri.[31] These chiefs often worked with MPs from the ruling party in their areas to lobby the DC and his staff. One needs to pay attention to this informal and underground influencing and what role it plays in how final and binding decisions are made in the district.

The loyalty of chiefs to the ruling party is fluid and change based on who is in power at the centre. For instance TA Khombedza has been around since the one party era (before 1993). He is considered to be quite a difficult and unreasonable chief.[32] He was very close to the Malawi Congress Party, which ruled the country prior to the democratic winds that blew across Malawi in 1993. He switched loyalty to the UDF regime between 1994 and 2004. He also established close links with the DPP regime under wa Mutharika (2004-2012). Another chief, Senior Chief Ndindi who was once a favored chief (under the UDF Government) lost his powers to lobby the council

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[30] Interview, GIZ official, 5 August 2010; Interview, former NICE Coordinator, 1 August 2010 001/10.

[31] Interview, GIZ official, 5 August 2010; Interview Centre for Human Rights and Rehabilitation (CHRR) staff, 30 October 2011.

[32] Interview, Actionaid official, 18 October 2010. Interviewee cited the chief's demands for allowances and personal favours from organisations that want to work in his area.

secretariat during wa Mutharika's rule.[33] While chiefs aligned with the ruling party are more influential in the district, those on the side of the opposition are less influential. For instance, Traditional Authorities Kuluunda, Maganga, Kambalame and Pemba are considered less powerful by some of the key informants interviewed.[34] Traditional Authorities Pemba and Kambalame are two of the poorest geographical areas in the district. One would argue that these areas require some attention to address various socio-economic challenges that communities face. However, as it will be shown later the allocation of resources is also hugely determined by who has a lot of informal influence in the district.

One characteristic for chiefs who are very active and more influential in the district now is that they are relatively young, educated and energetic. These chiefs were considered valuable resource by the then ruling party, Democratic Progressive Party (DPP). In contrast, Senior Chief Ndindi and Traditional Authority Pemba are quite old. Pemba has so far refused to select a successor and has put in place his brother as acting chief. According to one key informant[35] from his area:

> '… the chief is refusing to go because he receives a lot of benefits. He knows that if he quits his position all those benefits are gone…'
>
> *Interview, National Initiative for Civic Education (NICE) Volunteer,*
>
> *Traditional Authority Pemba area, 7 July 2011.*

From both focus group discussions and in-depth interviews corruption and bribe taking by chiefs are some of the main problems in the district. This problem cuts across both opposition and ruling party areas. Corruption starts with selection of

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[33] In-depth Interview former NICE Coordinator, 1 August 2010.
[34] Interview, ADRA official, 30 July 2010; Interview, Actionaid staff member 2, 18 October 2010; Interview, GIZ official, 5 August 2010.
[35] Interview, NICE Volunteer, TA Pemba area, 7 July 2011.

chief's relatives to be part of Area and Village Development Committees. This extends to other areas such as installation of new junior chiefs and selection of beneficiaries for development projects. According to one key informant:[36]

> '…there is a lot of corruption here amongst chiefs. They take bribes. When they are installing junior chiefs they ask for money from those who are fighting for the chieftaincy. If you can pay more than the others then you will become chiefs…in food for work programme these chiefs select their relatives to benefit…in TA Khombedza one chief connived with government officials to sell chairs and desks meant for distribution to several schools…'
>
> *Interview, former, Salima AIDS Support Organisation (SASO) staff, 29 June 2011.*

Since 2004, Malawi has been implementing a farm input subsidy programme. This is a centrally controlled project. At community level it involves distribution of coupons, which targeted households use to procure cheap fertilizer and seeds. Chiefs are quite influential in drawing up lists. There have been many reported cases of corruption amongst chiefs (MDPC 2009). In several focus group discussions participants pointed out that some chiefs choose their relatives to benefit. The involvement of chiefs in selecting beneficiaries for various programmes may influence the relationships between subjects and their leaders. It is quite obvious that in such a relationship downward accountability will be undermined, as subjects prefer to be on the good side of chiefs so that they should also benefit from various projects.

With regard to the relationship between chiefs and local people in the district it was found out that chiefs are valued due to their role and also because they stay in the same village as their subjects. Chiefs were seen as being 'very close to the people, and

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[36] Interview, former SASO staff, 29 June 2011.

often played a key role in identifying local needs and leading efforts to address these'[37]. On the other hand MPs were nowhere to be seen after elections and this was one of the sources of frustration amongst local people. This support for the role of chiefs locally might also be the source of power and authority at local level.

Clearly, the incentives faced by chiefs in the district are complex and variable. Chiefs are more interested to see investments in their areas. However, the extent to which this happens also depends on a number of factors such as who has power to influence allocation of resources, and in turn this depends on their relationship with the ruling party.

5.3.4   Members of Parliament: Juggling central and local roles

As already pointed out there are five constituencies in the district. In the 2009 presidential and parliamentary elections, MCP and DPP won two parliamentary seats each, and the remaining one went to a small party, the Maravi Peoples Party. In most of the in-depth interviews and focus group discussions participants mentioned that MPs are quite powerful individuals whether they belong to the ruling or opposition party. However, MPs are generally absent from the district as the majority of them (four out of five) stay outside Salima district. They only visit once in a while. MPs are mostly visible during elections when they want to win votes.[38] This is when they are campaigning. This has led to a lot of resentment from villagers and chiefs who accuse the MPs of only needing them when it is time for elections.

As members of the District Consultative Forum MPs have a key role in influencing allocation of resources. The nature of politics in the district is largely

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[37] Interview, VDC Chairperson, T/A Khombedza, 2 August 2010.
[38] Focus Group Discussion, Village Development Committee (VDC), T/A Pemba area, 16 April 2011; FGD, VDC, T/A Kalonga area, 16 April 2011.

neopatrimonialism, and MPs are driven by the need to win elections and reward local supporters as compared to their role to make laws and check executive accountability. MPs, whether from ruling party or opposition, have to make so many promises at community level and their chance to win elections depends on how much they can promise. In addition to public goods such as development projects MPs find themselves also promising personal goods and services such as provision of coffins and other forms of support at funerals, weddings, and other functions. The role of MPs in local development projects may put them on a direct collusion course with councillors should local government elections happen anytime soon. It might also explain why there were a lot of conflicts between councillors and MPs between 2000 and 2005 when elected representatives were in place.[39]

At constituency level, MPs co-opt chiefs to push for an agenda that will serve their interests. MPs and chiefs engage in informal influencing of the DC and other council staff. One chief has described this as follows:

> '..in each constituency here MPs and chiefs tend to discuss and agree on what to say before they go to the boma [district headquarters]. Once they get there they will speak with one voice and will not contradict each other…'
>
> *Interview, Traditional Authority 1, Salima district, 29 October 2010.*

In some communities chiefs were also seen as advisors to MPs on development issues affecting an area:

> 'Chiefs give guidance and advice to MPs on development issues affecting our villages. It does not matter whether this is a ruling MP or not. In our case we have

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[39] Chinsinga (2007). In his study he reported a lot of tensions between Councillors and MPs during the period between 2000 and 2005.

> never had a ruling party MP, but our MP works together with chiefs in development…'

> *Focus Group Discussion, Area Development Committee (ADC), T/A3, 15*
> *August 2010.*

Although in general all MPs were quite influential, ruling party [DPP] MPs had more authority in the district. This is regardless of the fact that the then ruling party MPs were a minority (40% of all MPs) in the district. The ruling party machinery in the district through the District Governor often met with the District Commissioner to discuss development projects.[40] This is part of the informal influencing to ensure that DPP areas benefitted from the little resources that found their way to the districts. This situation is no different from what was happening between 2000 and 2005 when the district had councillors. During this period MCP had more MPs than the then ruling party, the United Democratic Front. Yet, despite this majority, the single UDF (and then later DPP) MP who also worked as a government minister had more authority over how resources were allocated.[41] It was during this period that the constituency of Uladi Mussa benefitted most from various development projects.[42] In 2012 Mussa quit his party and joined the new ruling party, Peoples Party. He is currently serving as the Minister of Home Affairs in the Joyce Banda administration.

Generally all MPs in the district are keen to show support to their leaders at the centre. For instance, between 2009 and 2012 opposition party MPs in the district were in the lead to lobby for local government elections to be held.[43] This was a line towed

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[40] Interview, Democratic Progressive Party (DPP) member, 4 May 2011.
[41] Interview, former NICE Coordinator, 1 August 2010.
[42] Interview, former NICE Coordinator, 1 August 2010; Interview, former United Democratic Front (UDF) councillor, 4 May 2011.
[43] Interview, Opposition MP, Salima, 8 May 2011; Interview, Senior official- Salima Council Secretariat, 8 September 2010.

by their leaders at national level. On the other hand, ruling party MPs took a cue from the President and were more cautious in their statements.

MPs rarely attended DCF meetings in the district. The pattern was the same for both ruling party and opposition party MPs.[44] They would only attend meetings where they had some interests, for example when the council secretariat was sharing information on allocation of development projects. All the chiefs interviewed in this study also complained that MPs were only available during campaign periods when they required votes.

> '…they only need us during elections. We help them to get votes. After that they don't show up here frequently..'
>
> *Interview, Group Village Headman, T/A Pemba, 7 May 2011.*

Once they were voted into power MPs tended to disappear from the district:

> 'MPs are only in good relationship with chiefs during elections. This happens. It does not matter whether this is a ruling party MP or not…Once elections are over they [MPs] are nowhere to be seen..'
>
> *Interview, VDC chairperson, T/A Khombedza, 2 August 2010.*

On their part MPs claimed that they were busy with their legislative roles at national level.[45] However, from both FGDs and in-depth interviews the MPs roles were considered to be delivering development projects at local level. In all interviews, no mention was made of the duties of MPs to legislate and provide oversight of the executive. This might explain why MPs try to influence development projects locally

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[44] Interview, Senior official- Salima Council secretariat, 8 September 2010; Interview, T/A 1, Salima, 29 October 2010; Interview, T/A 2, 30 October 2010.
[45] Interview, Opposition party MP, 8 May 2011; Interview, DPP MP, 8 May 2011.

because they are responding to local expectations. Chiefs interviewed in this study acknowledged that they worked together with MPs to lobby the DC and other sector staff to allocate projects in their areas.[46]

In general, the two DPP MPs in the district had an important informal influence on decisions in the district and beyond. This is in contrast to the other three opposition MPs who had limited informal influence over the decisions of the Council. The District Commissioner and his staff were able to stand up to less influential MPs particularly those from opposition parties. A council employee claimed that there were no serious consequences on the DC or his staff if the opposition MPs were not listened to in the making of key decisions.[47] On the other hand MPs (and chiefs) with links to the ruling party elites could extend their informal influence by also going to the centre if they felt the district bureaucrats were not responsive to their interests.[48] Such powers undermined the possibility that the local councils (even when councillors return) could make decisions on the basis of locally determined priorities. All the five MPs in the district were also influential because they controlled the Constituency Development Fund, one of the largest sources of non-sector tied funding in the district.

As pointed out earlier, there was a clear misunderstanding of the role of MPs in the district. In the majority of FGD interviews and during interviews with chiefs, participants saw the role of the MPs as that of identifying local needs and channeling these to local council for action. The MPs role to legislate at national level was not identified as their major function. This might be a source of problems since it heaps

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[46] Interview, T/A 1, Salima, 29 October 2010; Interview T/A 2, Salima, 30 October 2010; Interview, Group Village Headman, T/A Khombedza, 5 May 2011.
[47] Interview, Salima District Council Secretariat staff member, 3 September 2010.
[48] Interview, GIZ official, Salima, 5 August 2010; Interview, ADRA official, 30 July 2010.

demands on MPs to act and bring tangible projects to their areas. With limited resources available in the district this comes down to who has influence.

5.3.5   Non-Governmental Organisations

Non Governmental Organisations (NGOs) play a big role in implementation of development projects in the district. NGOs were represented in both the District Consultative Forum and the District Executive Committee. NGOs in the district vary in size and scope of work. They range from very small community based groups operating in one group village headman to large NGOs that serve one or several Traditional Authorities. Large NGOs also vary between local and international ones. The scope of activities also varied from those engaging in social sectors such as health and education to those working to strengthen local governance structures in the district. The extent to which an NGO is influential in the district seems to depend on the size of the organisation. For instance, in this study it was noted that International Non Governmental Organisations (INGOs) were more influential and were more likely to sit in the District Executive Committee than the local NGOs or the small CBOs. The INGO representatives tend to be more educated and therefore spoke more in the DCF and DEC meetings as compared to representatives from local NGOs who were quiet.[49]

The council secretariat has put in place guidelines to promote accountability of NGOs in the district. One requirement is that NGOs must provide reports of what they are doing in the district. The guidelines are not mandatory, and some NGOs have ignored calls from the secretariat to submit reports. Even if they were to report to the secretariat there is little that the secretariat can do to influence the activities of a

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[49] Interview, ADRA official, 30 July 2010.

particular organization as most NGOs come to the district with already pre-conceived projects. Out of all the NGOs that were interviewed in this study none had developed a project based on the District Development Plan (DDP), which is the key planning document for all development activities to be implemented in the district.[50] It should be noted that there are few NGOs that are sharing plans and budgets with the district. For instance, Actionaid, one of the large International NGOs working in the district, shares its budgets and annual plans regularly with the council secretariat. The study was not able to find out how the council secretariat uses this information other than for mere information sharing on what everyone is doing in the district.

To promote coordination amongst various NGOs in the district, some NGOs in the district formed an NGO forum in 2009. The Forum is made up of 25 members, and these are largely NGOs with headquarters in Lilongwe or Blantyre (the main cities in Malawi). The membership of the Forum is divided into four thematic areas as follows; HIV and AIDS, food security, gender, and governance. The Forum signed a Memorandum of Understanding with the council secretariat in 2009 on how to engage with each other. The Forum also arbitrates in conflicts between the council and a particular NGO. A rotational chair that serves two years heads the Forum. NGOs have used this Forum to agree on common positions to be advanced during the DEC meetings. On the part of the NGOs, this has helped to ensure consistency amongst various NGOs during such meetings. It appears that the Forum has also been beneficial in addressing the allowance culture in dealing with government officials in the district.[51] Previously each NGO calling for a meeting to introduce or share progress on a project with the District Executive Committee was required to pay

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[50] Interview, CARE official, 3 September 2010; Interview, ADRA official, 30 July 2010; Interview, Actionaid official 2, 18 October 2010.
[51] Interview, Actionaid official 2, 18 October 2010.

allowances to all members of the committee. Since the birth of the Forum members have agreed to jointly organise such meetings and therefore cut the number of times allowances are paid.

The solidarity amongst members to come up with common positions makes the Forum a powerful entity in its engagement with the council secretariat. If this influence is not used well these NGOs may just be advancing the position of their headquarters. For instance, council staff complained that the NGOs often came to the district with their own pre-determined projects rather than discussing with the district on the local priorities that needed to be addressed. The engagement between the NGOs and the district was more along the lines of where projects should be located rather than what they should focus on and how they should be implemented.[52] Since the majority of these NGOs use donor funds it is quite possible that the need to deliver results within a specified time often drove them to bypass the normal workings of the decentralised process. Some NGOs complained that the decentralised structures were not working well and thus circumventing them allowed the NGOs to deliver on their objectives.[53]

This emphasis on efficient service delivery has led to proliferation of many NGO committees that undermine the decentralised structures. Between 2010 and 2011, the Centre for Human Rights and Rehabilitation (CHRR), a local Non Governmental Organization (NGO) implemented a democracy consolidation programme targeting all Traditional Authorities in the district. The project was aimed at mobilising individuals at community level to demand development projects from their leaders,

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[52] Interview, Senior staff- Salima District Council Secretariat, 8 September 2010.
[53] Interview, Actionaid official, Salima, 18 October 2010.

and also to hold leaders to account for full completion of projects.[54] The model for this programme was the creation of Village Rights Committees (VRCs) at Group Village Headman level. There were 152 VRCs located in all ten Traditional Authorities in the District. The VRCs served as bodies for identifying needs and channeling these to Local Councils through the VDCs and ADCs. They were expected to serve as mechanisms for holding service providers to account. For example, they could monitor the activities of the ADC and VDC from their area. According to an official in the programme:

> 'VRCs are important because they come up with key issues on development, and these are turned into action plans. Members of the VRC then co-opt a representative from ADC and VDC from their area, and together they present issues to the Council Secretariat..'
>
> *Interview, Centre for Human Rights and Rehabilitation (CHRR) Official, 30 October 2011.*

As a parallel structure the VRCs have added another layer on the structures for planning at district level. The VRC seems to serve the same purpose as the VDC at the same level. It can potentially create conflicts between these two committees. There are also other problems with the VRCs. The members of VRCs were selected in consultation with the chiefs. As such chiefs also had influence over who sat in these committees.[55] This means that these committees were not spared the informal influence of chiefs and thus may not have been the representative bodies that the project sought to create. Furthermore, the project had a very short life span,[56] and there was no clear strategy in terms of sustainability of these committees. In this case,

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[54] Interview, CHRR official, 30 October 2011.

[55] Interview, CHRR official, 30 October 2011.
[56] The funding was for a period of one year, ending in 2011. After that the project will move on to another theme which may require new structures.

it is quite possible that such committees might cease to exist after the end of the project, as is the case with other committees, which are seen as 'project committees' rather than as part of the decentralised structure.

The VRC is an example of structures created by NGOs supposedly to bypass the formal decentralised structures. Other NGOs that have created their own structures in the district include ADRA, CARE and Actionaid. ADRA works through a project committee that oversees implementation of activities in several villages while CARE has created umbrella committees at village level.[57]

NGOs have argued that they sometimes have to create their own structures due to the problems that they face when they try to work with the formal decentralised structures. One NGO, Actionaid has tried to work through Village Development Committees (VDCs) and found these lacking in accountability to villagers:

> '..we tried working with VDCs and these were not accountable. We were concerned because our support was not getting to the beneficiaries. We then made a decision to bypass decentralised structures and work directly with community based organisations.. we expect these CBOs to work with VDCs..'
>
> *Interview, Actionaid official 2, Salima, 18 October 2010.*

The quote from an Actionaid official demonstrates the frustration that some of the NGOs in the district have in trying to work with these decentralised structures. Their solution to achieving efficiency is to create more committees that bypass the formal decentralised structures. This increased emphasis on efficiency by donors mean NGOs and INGOs are forced to undertake actions that undermine donor supported

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[57] Interview, CARE official, 3 September 2010; Interview, ADRA official, 30 July 2010.

policies on decentralisation. Instead of working to strengthen the existing structures, NGOs form their own committees, and in so doing subverts decentralisation. This makes it difficult for local people and their representatives to influence decisions around resource allocation, and leaves NGOs to make decisions, often with inputs from their headquarters, which are far removed from the local scene. As a result, it is harder (almost impossible) for local communities to hold NGOs accountable for delivery of services that address local priorities. Therefore, donors and NGOs just like the state are guilty of undermining decentralisation.

The evidence gathered through interviews also suggest that some NGOs can advance their self interests such as barring other NGOs from working in areas where they are based to minimise duplication and perhaps to avoid competition. For example, one organization based in Nkhotakota, the Nkhotakota AIDS Support Organization was denied access to work in the district because NGO representatives argued that there were already other organisations during similar work in the district.

> 'The NGO representatives ganged up and said that this organization should not come to the district. Instead NASO [Nkhotakota AIDS Support Organization] should provide funds to other NGOs in the district who would implement the project. Currently we don't know whether the NASO people will come back..'
>
> *Interview, former SASO official, 29 June 2011.*

The NASO example demonstrates how NGOs using their one voice can influence certain decisions particularly those that are related to the operations of other NGOs.

From this study, NGOs were a viable source of financing for various development projects at the district level. Large NGOs were easily accommodated in the DEC, and they also had an NGO representation in the DCF. However, other than the fact that

NGO representatives were able to speak openly without fear of being sanctioned within these committees, there was little evidence that NGOs do influence allocation of resources.

5.4   Central Transfers on the up, but little control locally: The national picture

Democratic decentralisation in Malawi has been accompanied by an increase in the amount of financial resources transferred from the centre to the local councils. However, a detailed observation shows that this increase has not translated into meaningful control by local councils over their budgets and development plans.

Between 2004 and 2012, central transfers increased significantly and constituted a large proportion of all funds available to local councils. These central transfers accounted for over 90% of all the resources that are used by the district.[58] The central transfers include sector funds to departments/ sectors, the infrastructure development fund, constituency development fund and the general resource fund. Out of these categories only the general resource fund (GRF) is an unconditional grant, which the local councils can use to respond to locally determined needs. The sector funds, which represent a significant part of central transfers, are conditional grants with already earmarked priorities.

Graph one below shows the increase in the total amount of central transfers to local councils from 2006 to 2011.

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[58] Based on the figures from the council budgets in the National Local Government Finance Committee Budgets reviewed in this study.

Budget Estimate in Kwacha
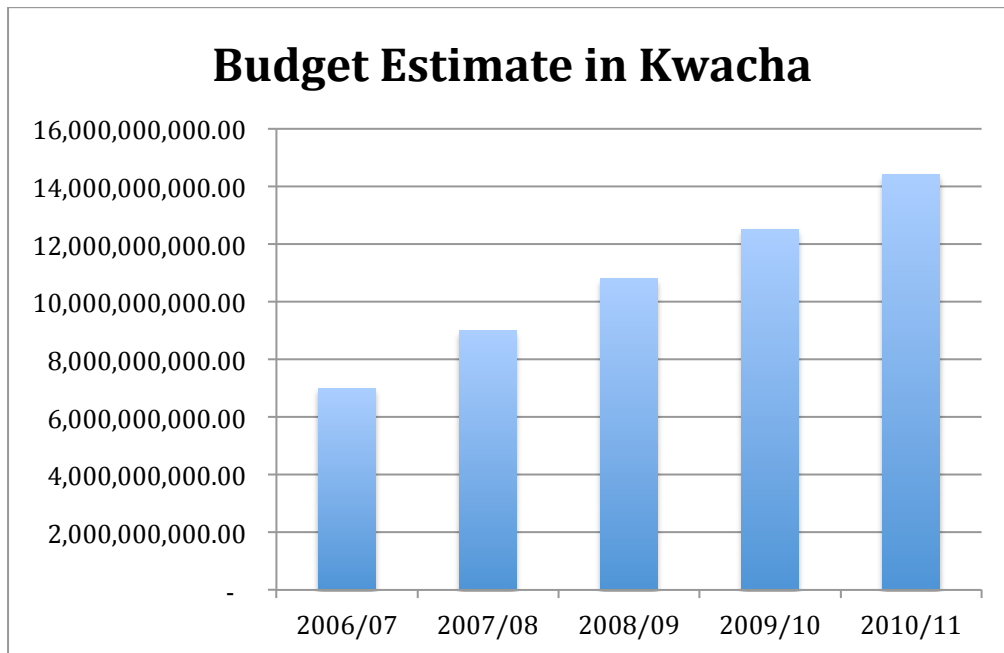
Source: National Local Government Finance Committee (NLGFC) Budget Estimates, 2006-2011

Despite the increase shown in the graph above the central government has still fallen short of the commitment made in 2002. In that year, the Muluzi regime endorsed a plan that 5% of National Net Revenue would be allocated to the General Resource Fund, with an additional 15% for Health and 9% for Education.[59] This meant that at least 29% of the National Net Revenue was committed to Local Councils. Chiweza (2010:34) has argued that for most part the allocations from central government have been less than 1%. A key informant at the National Local Government Finance Committee (NLGFC), a government body, which is responsible for budgets and expenditure monitoring for Local Councils, put it this way:

'..The Government has not yet met its commitment to allocate 5% of all domestic revenues to Local Councils. Right now we are still at less than 1%...'

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[59] Interview, National Local Government Finance Committee staff member, 2 September 2011.

As it has already been pointed out, the bulk of the resources transferred from the centre are for conditional grants in the form of sector funds. Only the general resource fund (GRF), infrastructure development fund, and constituency fund can support activities, which are determined locally. However, as it will be shown later there are also limitations with the use of constituency development funds (CDF). Although the GRF represents a viable opportunity for Local Councils to fund local development activities, there has been limited commitment from central government to put in more resources as evidenced by the slow trends in the funds that flow through the GRF. **Graph two** below compares the GRF resources to overall funds available to local councils.
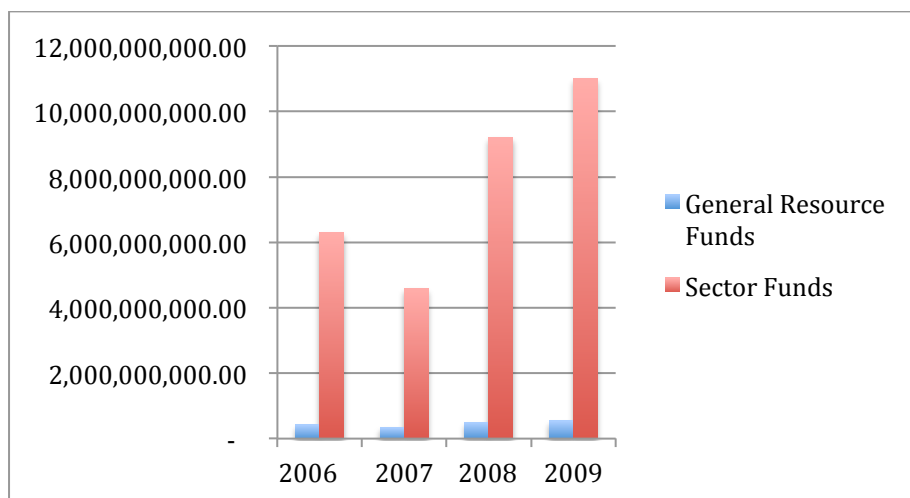
Source: NLGFC Budget Estimates for Local Authorities, 2006-2009

Graph two above shows that the GRF constitute a very small proportion of funds that flow to local councils. The graph also shows that between 2006 and 2009 the GRF has remained about the same. The infrastructure development fund, which only supports projects in urban councils, is not accessible to rural councils such as Salima

district. In general, most rural councils rely heavily on earmarked funds from the centre.

Locally generated revenues provide an additional source of funds to local councils. In contrast to central transfers particularly sector funds, locally generated revenue can be used to support locally determined priorities. The general trend with these revenues is an upward one. However they still remain a small percentage of total funds available to local councils. In 2006/07, the locally generated revenue estimates for all councils in Malawi were at K2.6 billion, representing 37% of the budget.[60] In 2009/10 the revenue estimates were pegged at K6 billion. This is 43% of the total budget. As the case with Salima will show these budget estimates vary with the actual collections. In the 2007/08 budget about 75% of the projected locally generated revenue was collected.[61] The bulk of this revenue collection is in cities, which seem to perform much better than district councils due to the obvious reasons that there are diverse sources of revenue in cities. The **graph three** below provides comparison on locally generated revenues between cities and districts in Malawi.

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[60] Malawi National Local Government Finance Committee (NLGFC) Budget Estimates for Local Authorities, 2006/07.
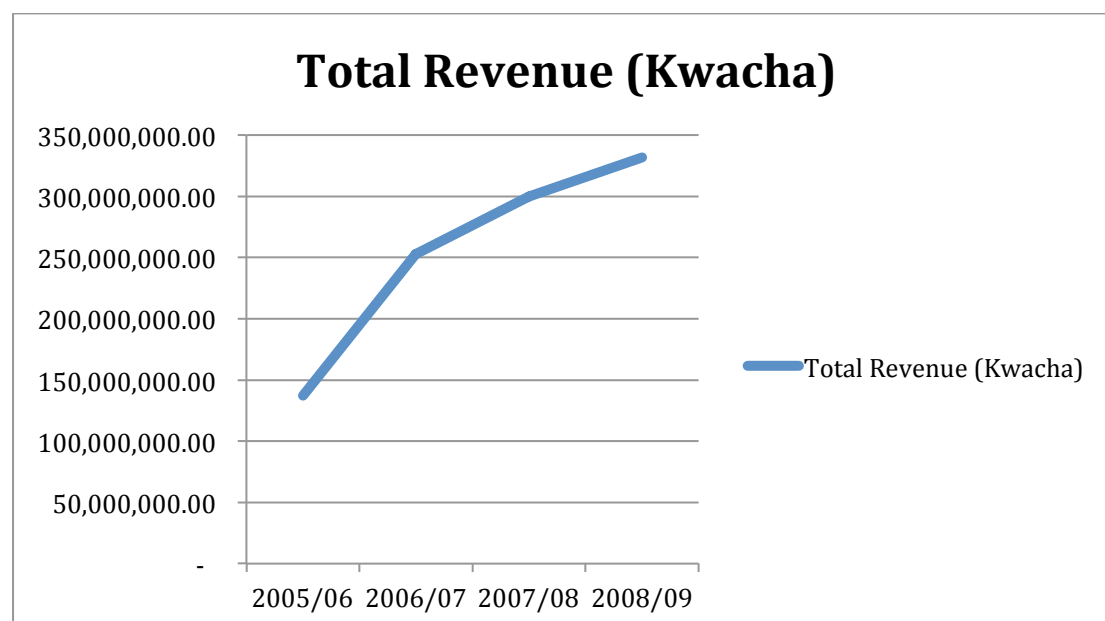[61] NLGFC Budget Estimates for Local Authorities, 2009/10.
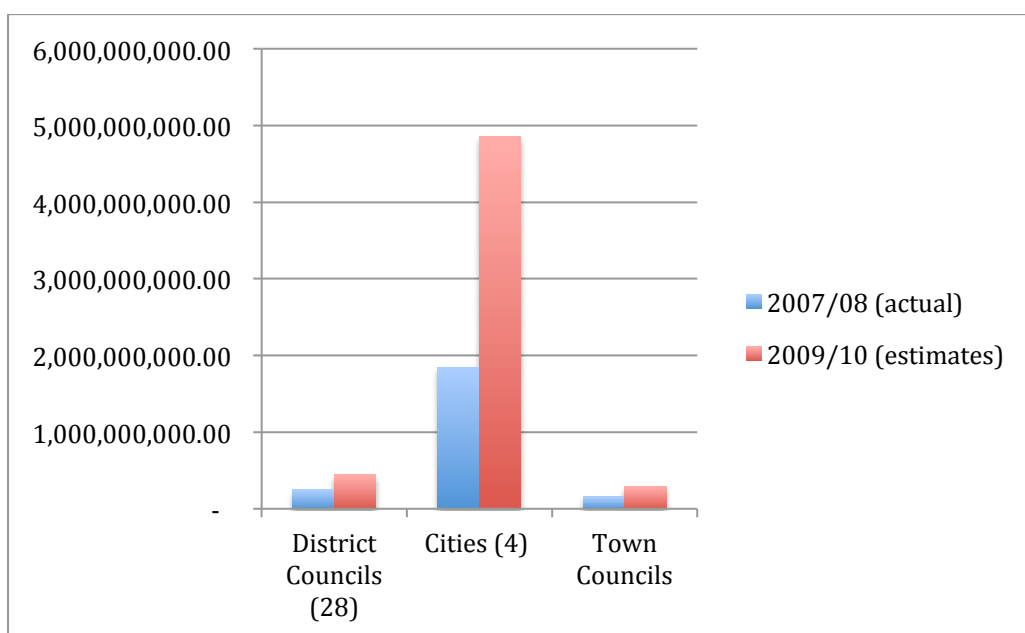
Source: NLGFC Budget Estimates for Local Authorities 2009/10

Graph three above shows that the four cities in Malawi combined collected 82% of the total locally generated revenue in contrast to twenty-eight district councils, which only accounted for 11% of the revenue. This means that although the overall projections for locally generated revenue are very high, in practice this is limited to few cities that collect a large proportion of the funds. On average each of the 28 districts collects $22,000 per year in locally generated revenue in contrast to the cities where the average is in excess of $1 million per year. At is will be shown in the case of Salima such locally generated revenue and the GRF are mostly used to supplement the recurrent costs of the districts.

### 5.4.1 Comparing Salima to the national trends on financial transfers

This section provides a detailed examination of the financial resources available in Salima and how the district compares with the national picture discussed above. The overall picture is that the district relies heavily on central transfers, which constitute all the elements discussed above: GRF, constituency development fund and sector

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funds. **Graph four** below shows the increasing trend in central transfers to Salima district.

Total Revenue (Kwacha)

Source: NLGFC Budget Estimates for Local Authorities, 2006-2011

As this graph shows, central transfers have been on the increase and sector funds represent a significant proportion of these. Between 2005 and 2008 sector funds have accounted for approximately 86% of all the central transfers to Salima district. The remaining 14% was split across GRF, CDF, chiefs' honorarium, salary subsidies and locally generated revenue. In the 2005/06 fiscal year, the GRF represented only 6.5% of the total revenue for the district. Between 2006 and 2008 the proportion of GRF to the total budget went down to about 4%. The CDF, which is one of the opportunities for supporting local needs at constituency level, only represent a small percentage of the budget. Between 2006 and 2008 the CDF only accounted for 4-5% of the local council budget. **Graph five** below compares the various sources of revenue available for the district:
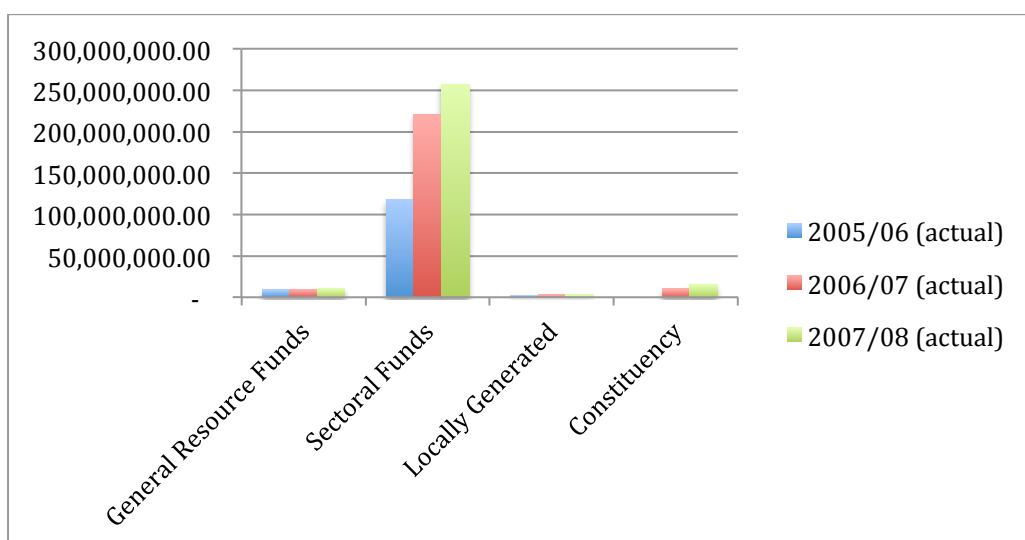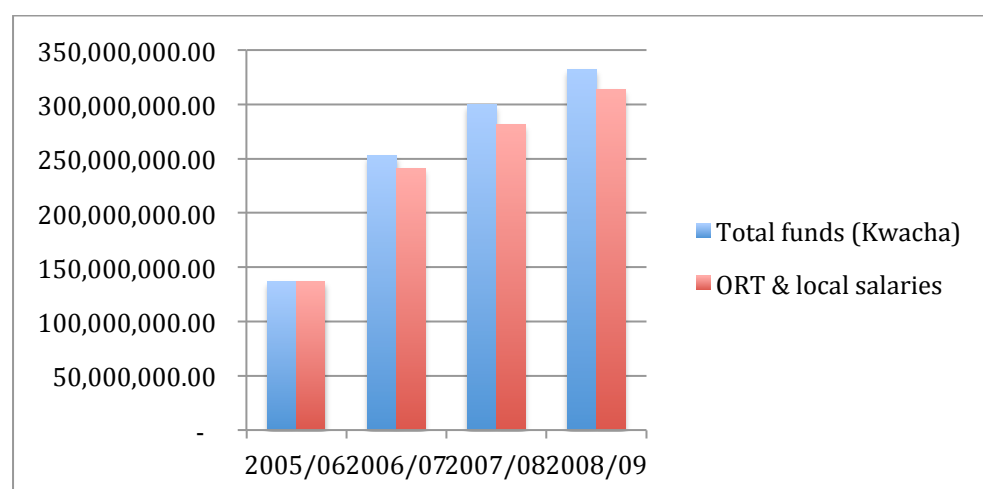
Source: NLGFC Budget Estimates for Local Authorities, 2006-2009

The graph above shows that while sector funds have been increasing the GRF has remained low, and the locally generated revenues are almost insignificant. This presents a challenge to the council since the sector funds, as conditional grants, are for earmarked priorities determined by the centre. Because sectoral priorities are approved centrally it can be argued that the centre directly controls at least 86% of all funds that flow to the district. The district is only in control of the GRF and locally generated revenue, which between 2006 and 2008 have accounted for between 4.5-8.5% of the total budget.[62]

Worse still while the sectoral funds represent a significant percentage of resources to the district, most of these funds are used to meet recurrent costs such as internal travel, maintenance of public utilities, office supplies, purchase of medical supplies and drugs, formation and maintenance of capital assets, rent, and maintenance of motor vehicles. In the 2005/2006 local council budget, other recurrent transactions

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[62] National Local Government Finance Committee (NLGFC) Budget Estimates for Local Authorities, 2006-2011.

(ORT) and local salaries amounted to K137,109,753[63]. This represents 99% of all the revenues available to the district council including GRF and locally generated revenue. Between 2006 and 2009, approximately 95% of the funds available to the district have gone towards ORT and settling local salaries. This suggests that the district has to use the locally generated revenue to meet the shortfalls in ORT and local salaries. **Graph six** below shows the comparison between ORT/ local salaries and the total revenue comprising of locally generated revenue and central transfers.

Source: NLGFC Budget Estimates for Local Authorities, 2006-2009

As this graph shows the council has very little funds remaining after settling ORT and local salaries. This compromises the ability of the council to support development activities, supervision and monitoring of sub district activities.[64] So while on one hand the central government appears to be transferring more funds to the district on the other hand it is still starving local councils, which have very little resources to respond to locally determined priorities.

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[63] NLGFC Budget Estimates for Local Authorities, 2006/07 revised and 2007/08.
[64] Interview, Salima District Council Secretariat staff member 3, 21 December 2010.

5.4.2 The Constituency Development Fund: Opportunity for local projects, or pocket money for MPs?

Constituency Development Fund (CDF) is one of the mechanisms that have been put in place to support local development activities at constituency level. The CDF is part of the central transfers and is open to support development activities, which supposedly should emanate from consultations with citizens within a particular constituency. In 2006/07, K10 million was allocated for CDF in the district and this represented 4% of the total revenue. In 2007/08 and 2008/09 the figure went up to about 5%.

Under the CDF, each Member of Parliament (MP) received a fixed amount of money. In 2006/07 this figure was K2 million per MP. By 2008/09, this had gone up to K3 million. The MP, in liaison with a constituency project management committee decides on the priorities to support. However, in practice there are questions over the participation of local people in making decisions on CDF. These issues are discussed later. Although the MP and the committee have powers to decide, the district council secretariat has been given authority to ensure prudent management of resources. To this effect the secretariat is responsible for disbursing the funds as well as ensuring that there is transparency and accountability in how these resources are used.

Since these funds are to be used in specific constituencies they cannot be counted as part of the resource envelope to support the priorities determined by the district. Instead, the efficient and effective use of these resources depends on the intentions of individual MPs.[65] A major challenge in use of these funds is that MPs can either use

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[65] Interview, Senior official- Salima District Council Secretariat, 8 September 2010.

them for their own personal interests or to reward their supporters for their support.[66] During the period of this study, the Members of Parliament in Malawi have been pushing for an increase in the allocations for the Constituency Development Funds (CDF). A detailed analysis of how the constituency development funds work has been provided in the later sections of this chapter.

5.4.3   Locally Generated Revenue: No magic bullet

Given that a large proportion of central transfers is already earmarked for ORT and salaries locally generated revenue can provide room for councils to maneuvre and focus on their priorities. In Salima, this revenue is generated largely from market fees as well as other fees and service charges. However, locally generated revenue is too small and is often allocated towards filling the gaps left by the central transfers. For instance it is used to supplement staff salaries particularly for locally employed staff in the district[67]. **Graph seven** below shows the comparison between locally generated revenue and central transfers.
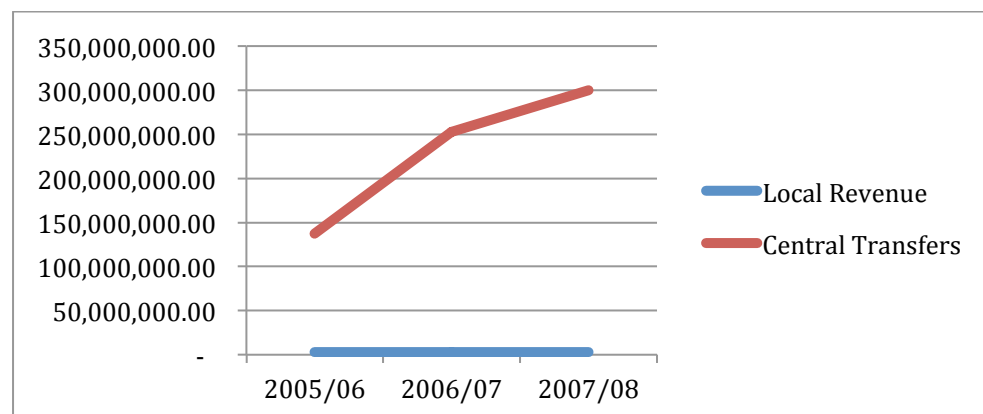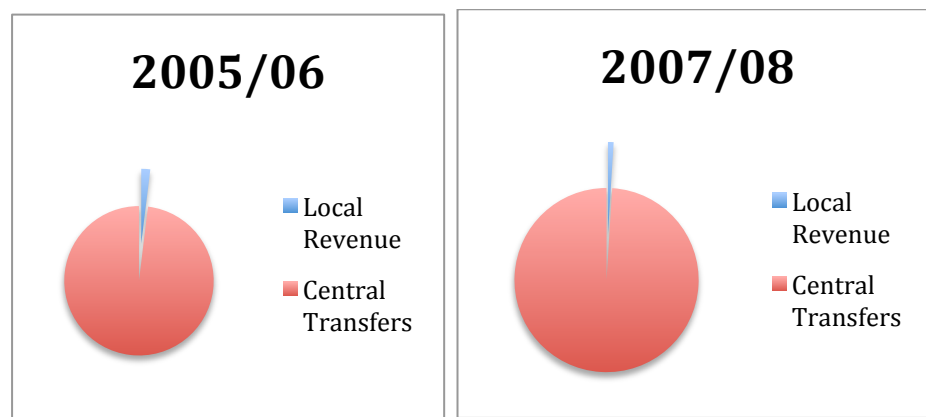

Source: NLGFC Budget Estimates for Local Authorities, 2006-2009

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[66] This is discussed in the subsequent sections which demonstrate how CDF has been used in some constituencies.
[67] Interview, Senior official- Salima District Council Secretariat, 8 September 2010**.**

The graph above shows that although central transfers to the district have been increasing the trend for locally generated revenue is disappointing. In the 2005/06 budget locally generated revenue (LGR) represented 2% of the budget. In 2006/07 and 2007/08 LGR went down to 1%. **Graph eight** below compare the trends in LGR between 2005/06 and 2007/08.

Source: NLGFC Budget Estimates for Local Authorities, 2005-2008

The district has failed to make significant inroads to increase the proportion of locally generated revenue to fund the overall budget. This leaves the district to rely on the centre for support, and thus more prone to influencing in terms of earmarked priorities of the centre.

During the period under study two Councils, Salima Town Council and Salima District Council have merged into once council. One of the immediate implications is that the locally generated revenue might increase due to fees and rents from commercial buildings, markets, and bus terminals that previously were in the town council. For example, the estimates in the 2010/11 budget for the integrated council put the local revenue figures at MK57,216,010.00, which is 11.6% of the total revenue estimate for the same period covering both local revenue and central transfers. This is significant increase from roughly 1.27% in 2009/10 district budget. It would be interesting to examine how the council will handle the new injection of

resources in a few years time. However, because this has just happened it is beyond the scope of this study to examine its impact on local allocations of resources for development. The large increase in the proportion of locally generated revenue as a result of this merger of two councils may suggest that urban councils in Malawi are in a better position than district/ rural councils to mobilise local resources. However, this does not guarantee that the local resources will be used according to priorities set locally.

5.4.4   Local Development Fund: Opportunity for locally determined priorities?

As has been shown above, central transfers and locally generated revenue provide very little room for the council to support locally determined development priorities. The creation of the Local Development Fund (LDF), which is a central financing mechanism, provides opportunities for councils to respond to locally determined needs. The origins and nature of the LDF have been discussed in chapter three. This section focuses on analyzing the resources channeled through the LDF to Salima district. As previously discussed, the LDF consists of several funding windows that Local Councils can access.

Two windows are of significant interest with respect to Salima district, as well as other districts in Malawi, and these are: the urban window, and the community window. Since these windows have been described in detail in chapter two in this section a short recap is provided with the aim of helping to build an understanding of how the LDF works at district level. The urban window funds projects that address urban challenges such as infrastructure and provision of public services such as water, waste management, and other types of projects. Currently Salima district has not yet submitted any proposals for the urban window. The community window on the other

hand funds projects, which are decided upon locally by communities. Part of the community window also supports cash transfer schemes (cash for work) primarily through the public works programme, which is aimed at renovating basic infrastructure such as unpaved roads.

In a district where the majority of central transfers are for ORT expenditure, the LDF provides a major mechanism to implement locally determined priorities. However, the challenges alluded to in the discussion on LDF in chapter three, primarily on the earmarking of a large proportion of the funds, also mean that there is little room for the district council to maneuver. For instance, since 2009 a large proportion of the funds has been used to construct teachers houses. This follows a directive by the former Minister of Finance, Goodall Gondwe[68]. The implication is that although the district might have its own local priorities they have to implement the LDF community window as per the directives that come from the centre.

Table 6 below shows the LDF community window allocation by sub window for the district for the past two years in Malawi Kwacha (MK).

Sub-Window	2010	2011
Community Open Window	MK15,138,079.00	MK7,093,104.00
Teacher Houses	MK60,948,068.00	MK40,524,824.00
Public Works	MK16,772,454.40	0
Total	**MK92,858,601.40**	**MK47,617,928.00**

Source: NLGFC 2007, 2008, 2009, 2010

In the table above, the primary teachers' houses account for 66% of the LDF community window resources allocated to the district in 2010. In the following year, 2011, teachers' houses were 85% of the LDF resources for the community window.

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[68] Ministerial directive led to allocation of a percentage of funds for the community window towards constructing teachers houses and school blocks.

This is not to say that teachers' houses are not a need. However, by earmarking funds the centre has taken away the ability of the district to determine its own priorities and to allocate resources based on these. It suggests the centralisation of development projects by the centre with the periphery being seen as delivery mechanisms rather than decision-making units. Such centralised tendencies undermine the possibility that the district can operate in ways that serve locally determined needs.

Graph nine below provides a comparison between the different windows for the two years that the LDF has been in operation.
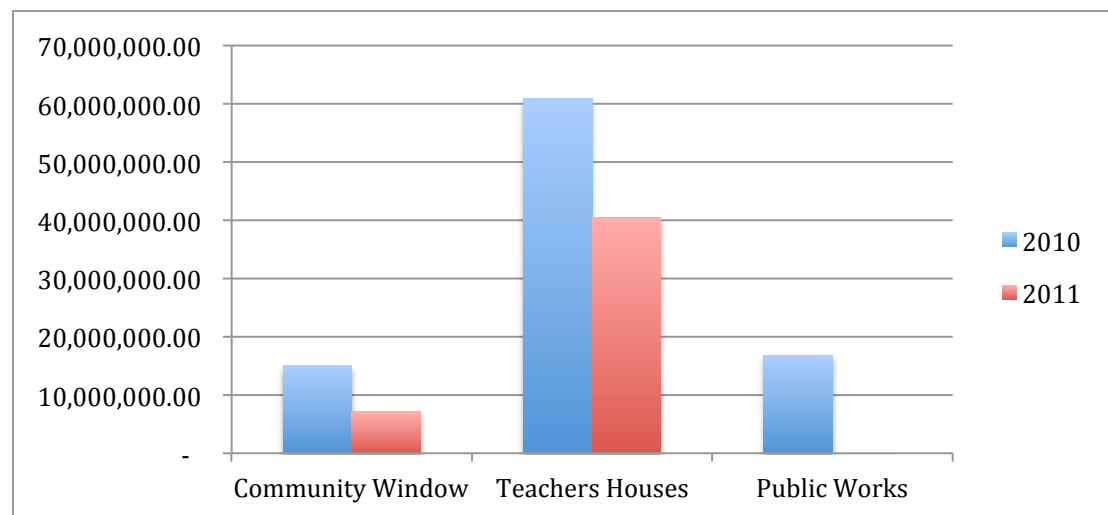
The limited powers of the district to decide are clearly evident with regard to teachers' houses whereby district officials can only control where these houses should be built. As will be discussed in the subsequent sections of this chapter, even this decision making process is determined by who has both formal and informal influence locally and this is often based on connections to the ruling party elites at the centre.

5.5   Politics of resource allocation in the district

This section examines the politics of resource allocation with respect to the Local Development Fund (LDF), the Constituency Development Fund (CDF), centrally

driven development projects, and NGO development activities in the district. As it has been argued in the earlier sections of this chapter, the DCF, which is the highest oversight body in the district, lacks powers to make decisions. Two factors contribute to this. First, the DCF has no legal mandate to make binding decisions since it is a consultative body constituted as a temporary solution in the absence of a formal council. Secondly, as will be re-emphasised in this section most of the decisions over allocation of resources are based on informal influencing which goes beyond the DCF. In fact, in the majority of cases the DCF rarely makes significant changes to the proposals, which are brought by the DC and his staff.[69]

Evidence collected through key informants and focus group discussions (FGDs) suggest that allocation of LDF resources in the DCF is not based on needs. During the period between 2009 and 2012, the pattern of resource allocation was consistently linked with areas where there were ruling party (DPP) MPs, and powerful Traditional Authorities such as Kalonga, Khombedza and Kambwiri who also had strong links to the ruling party.[70] The pattern in recommendations made by the DEC suggests that the District Council civil servants tried to please these powerful chiefs and ruling party MPs. Some of the chiefs, for example TA Kambwiri, have had huge influence even on NGO activities in the district. TA Kambwiri has exercised his influence in the NGO Forum. One NGO representative put it this way:

> '..Traditional Authority Kambwiri can come to our NGO Forum to speak to members
>
> and lobby for support for his area. These chiefs can be quite influential..They can

[69] Interview, Salima District Council Secretariat staff 2, 5 September 2010; Interview, ADRA official, 30 July 2010.
[70] Interview, former NICE Coordinator, 1 August 2010; Interview, NICE Volunteer, T/A Kalonga, 16 May 2011; Interview, NICE Volunteer, T/A Khombedza, 16 May 2011; Interview, Local NGO representative and member of District Executive Committee, 18 May 2011.

even go on public radio to talk about their needs…It is these vibrant chiefs who are getting most of the LDF resources here…weak chiefs such as Pemba, Kuluunda and Ndindi have no influence here'

Generally, chiefs are seen as powerful gatekeepers at community level and they play a key role in endorsing NGO projects to operate in their areas. Any NGO seeking to work in in a particular community had to first of all seek permission from chiefs. In fact, NGOs were not allowed to talk or reach out to local people unless the chiefs were consulted. In T/A Ndindi's area the process was described as follows:

'The NGOs that are interested to work here first talk to the chiefs and then to the general public sensitizing them on their programmes. It is only after this that the NGOs can form their committees while other select volunteers to work with them with the involvement of chiefs'.

During discussions in the DCF more influential MPs and chiefs in the district were easily considered when it came to allocation of resources. One of the influential chiefs interviewed during this study claimed that some of the chiefs who were not benefitting from various projects were often quiet during meetings.

'..How can you benefit when you just sit and don't talk? In every meeting I try to talk about the needs of my subjects. If it requires me to go to the DC I go, If I have to go to the (District) Education Manager to get something I go….'

A women's group interviewed in this study claimed that chiefs had a lot of influence over allocation of projects in the district:

'The T/A [Traditional Authority] here has a lot of influence over allocation of projects and resources. You can see in this area each year that [the distribution of] fertiliser coupons concentrate at T/A headquarters. Who can stand up to the T/A in this area? Nobody can say no to what he says…'

Focus Group Discussion, Mambo Women's Group, 15 August 2010.

The constituency of Uladi Mussa provides a good case study to examine the benefits that come with being close to the ruling party. When Uladi Mussa was part of UDF and DPP governments the Salima South constituency received a lot of government development projects.[71] His constituency is considered by many people in the district to be better off than other areas.

'Uladi Mussa… a single UDF MP [ruling party] had a lot of influence on the district council, for example, in the elevation of chiefs….Uladi Mussa also made sure that the starter packs [fertiliser and seed] were concentration in UDF areas'

Interview with NICE official, 12 November 2010.

 However, when Uladi Mussa fell out of favor with the DPP Government in 2009 he lost his powers to influence projects both centrally (national level) and in the district. Some of the chiefs who had aligned themselves with him also lost their authority, for example Senior Chief Ndindi who was promoted during the period when UDF was in Government (1994-2004). Between 1994 and 2004, Chief Ndindi was one of the powerful chiefs in the district and was feared by council secretariat staff[72]. He lost his powers in the district due to his continued links with Uladi Mussa, an opposition party MP[73].

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[71] Interview, former NICE Coordinator, 1 August 2010.
[72] Interview, GIZ official, Salima, 5 August 2010; Interview, former NICE Coordinator, 1 August 2010.
[73] Interview, former NICE Coordinator, 1 August 2010.

In 2012, Uladi Mussa joined the new ruling Peoples Party. It is yet to be seen how this might influence the power dynamics of the chiefs who are associated with him. However, during the period between 2005 and 2012 some chiefs who were well connected politically to the then ruling party, DPP, for example Kalonga, Khombedza and Kambwiri have had more informal influence over the DC on how decisions were made on various projects.[74] On the other hand, Traditional Authorities Pemba, Kuluunda and Maganga who were all from opposition constituencies then were labeled as difficult to work with and therefore not deserving of any favors.[75]

Members of Parliament and the Traditional Authorities from their constituencies often sit together and agree on what to present to the district when it comes to the decisions in the DCF.[76] This should not be surprising given that they both have interest to see development projects come to their areas. The more 'tangible' developments that they can bring, the more popular they become amongst the local communities. Since chiefs stay within the local communities, and MPs have interest to be voted back in power, the support of the local communities is sought by both actors, and thus they often work together and agree on what priorities should be pursued in the district.

Both MPs (both opposition and ruling party) and chiefs try to influence decisions made in the district by directly engaging with the District Commissioner and Director of Planning and Development before they go for the DCF meetings.[77] This informal influencing is not seen during the DCF meetings. Perhaps this is why very few

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[74] Interview, former NICE Coordinator, 1 August 2010; Interview, Salima District Council Secretariat staff 2, 5 September 2010.

[75] Interview, Senior official- Salima District Council Secretariat, 8 September 2010; Interview, CHRR official, 30 October 2011.

[76] Interview, opposition MP, 8 May 2011; Interview, DPP MP, 8 May 2011; Interview, T/A 1, 29 October 2010.

[77] Interview, ADRA Official, 30 July 2010; Interview, Salima District Council Secretariat Staff 2, 5 September 2010.

changes are made on the proposals from the office of the District Commissioner because most of the powerful actors would already have known that they would be favored in the allocation of resources. Therefore, decisions are not being made in the formal decision making arenas. This can undermine the decentralisation process in Malawi, which presumably is expected to lead to more responsiveness by councils. According to one key informant:

'In each constituency, MPs and TAs discuss and agree on what they are going to say before they come to the [DCF] meeting….we do not see them in public trying to advance their agendas. Their influence is when they come to the office of the District Commissioner for one to one meetings where they press their demands..'

Interview, Official- Salima District Council Secretariat, 3 September 2010.

The District has a District Development Plan (DDP). The DDP covers a three-year period, and the last one, which was developed in 2007 ended in 2010. No formal evaluation of the DDP has been done but data collected through both FGDs and in-depth interviews suggest that that when it comes to actual allocation of resources, for example from the LDF, the DDP is not one of the main criteria for identifying both the types of projects as well as areas where these projects can be implemented.[78] For instance, the earmarking of funds in the LDF mean that although the DDP may have outlined and prioritied district needs the district has to go with the projects that have been proposed by the centre. According to one key informant:

'..we are told in the meeting how many teacher houses will be constructed in the district..regardless of whether we need more boreholes than these houses. These

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[78] Interview, Salima District Council Secretariat Staff, 3 September 2010; Interview, CHRR staff, 30 October 2011.

houses are always being built in the same Traditional Authorities, and some of the poorest areas here have not benefitted..not even one house..'

Interview, local NGO representative, and member of District Executive

Committee, Salima district, 18 May 2011.

As has been pointed out earlier, almost all the NGOs implementing projects come to the district with already pre-conceived projects, and sometimes they may even go as far as proposing geographical areas of implementation. This means that as a formal tool for district planning, the DDP is often disregarded. As a result of this the district has seen proliferation of NGOs in certain Traditional Authorities where the potential for duplication is high. Other Traditional Authorities such as Pemba have not been adequately covered by NGO activities.[79]

NGO representatives were also one of the actors who could openly question decisions during DCF and DEC meetings. This was the case because NGOs were accountable to their headquarters and could therefore speak freely without fear of sanctions.[80] There were two distinct groups in the DEC meetings: the civil servants on one side, and NGOs representatives on the other side. Two key informants put it this way:

'..Heads of Departments and other Government Officials in the DEC don't speak up because doing so would be to openly question the authority of the District Commissioner. The only voice comes from NGOs who question some decisions of the council…'

Interview, ADRA official, 30 July 2010; Interview, Actionaid official, 18

October 2010.

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[79] Interview, former Salima AIDS Support Organisation (SASO) staff, 29 June 2011; Interview, Actionaid official 2, 18 October 2010.
[80] Interview, ADRA official, 30 July 2010.

An official from the District Council Secretariat argued that larger and often International NGOs were more vocal in the meetings at district meetings as compared to smaller and local NGOs:

> 'These educated officers know how to speak during the meetings..while the representatives from the small NGOs sit quietly during meetings…'
>
> *Interview, Senior official, Salima District Council Secretariat, 8 September 2010.*

This could be the case because INGOs were able to pay higher salaries and could therefore attract more qualified staff.[81] The ability of the NGO staff to ask questions and probe on decisions made suggest that where NGOs are closer to the interests of the local communities they can become one of the key actors to hold the District Commissioner and the council secretariat accountable on key decisions over allocation of resources. They may in fact be the only alternative voice, where powerful chiefs, ruling party MPs and local bureaucrats are on one side. However, NGOs can also advance their own interests. It is often difficult to know whether the issues presented in the DCF or DEC meetings are as a result of local consultations or are a reflection of priorities from the NGO headquarters in Lilongwe and Blantyre. In general, there was no evidence to suggest that NGOs had huge influence on the allocation of LDF resources or other Government funded (central) projects.

When it comes to other centrally formulated projects such as the agricultural input subsidy programme, the evidence gathered in this study suggests that both the DCF and DEC also have limited influence. Ruling party MPs and chiefs from the then ruling party (DPP) constituencies often wielded more powers to determine who

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[81] Interview, ADRA official, 30 July 2010.

benefitted from the programme.[82] Using the subsidy programme as an example, vulnerable households are identified at village level, and each of these households receives a coupon, which is used to purchase seeds, and fertilizer at heavily subsidised prices. The Democratic Progressive Party, which was the ruling party between 2009 and 2012, had a lot of influence over the programme. One NGO has done an assessment of the subsidy program in the district and the results are summarized in the quote below from one focus group discussion:

'…the subsidy programme is heavily politicised here. The ruling party influence chiefs over the selection of beneficiaries. However chiefs also include their own relatives as beneficiaries even when these relatives do not meet the minimum criteria for selection..generally pro-government villages get more coupons..'

FGD, Village Development Committee, Traditional Authority Kalonga, 16 April 2011.

While the Constituency Development Fund (CDF) offered an opportunity to address priorities in the DDP, the DCF had little control over it. Between 2005 and 2009, each constituency in the district received MK2 million per year for the CDF. A formal process exists on paper in terms of how projects should be selected. However, the effective use of the funds was often dependent on the individual MPs rather than a proper system of determining needs and ensuring accountability in use of the funds.[83] There were also some good examples of how CDF funds were used. In the Salima South constituency of Uladi Mussa, an opposition MP (now ruling party member and minister) the CDF was used to stabilize the riverbank. This prevented flooding in the

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[82] Interview, Senior official- Salima District Council Secretariat, 8 September 2010.
[83] Interview, Senior official- Salima District Council Secretariat, 8 September 2010.

area.[84] Uladi Mussa also influenced the construction of school blocks and boreholes in his constituency[85].

Generally, because MPs decide how the money should be spent under the CDF the practice is that the projects selected are those that benefit their supporters. Evidence from this study suggests that in some areas communities were not aware of the CDF, or at least how they could access these funds.[86] Such lack of awareness was sometimes exploited by some MPs. In all constituencies, the CDF was run by the MPs in conjunction with constituency governor, party structures and chiefs. The district planning structures such as Village Development Committee and Area Development Committee were in most cases not included in the process of coming up with projects to be funded.

In an audit report completed by the National Audit Office in 2010, it was reported that projects worth K15.5 million were implemented in the district. However, project identification processes had not been followed. This is an irregularity from the CDF procedures, which stipulate a more participatory process for identifying needs and selecting which projects to support. In the same audit report, several MPs were unable to provide documentation to substantiate how funds were used. In fact, the district was unable to account for about K9 million. As a result projects rarely reflected priorities in the District Development Plan and the village action plans. The dominance of the MPs over the running of the CDF is reflected in this quote:

> '..the MP in our area decide what he wants to do with the funds… he uses it as a campaign tool.. and does not work with the local committees here..'

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[84] Interview, NICE Volunteer, T/A Ndindi, 25 February 2011.
[85] Interview with NICE official, 12 November 2010.
[86] Focus Group Discussion, Women's Group, T/A Kalonga, 24 February 2011; Focus Group Discussion, Women's Group, T/A Pemba, 24 February 2011.

MPs were not the only ones who abused the Constituency Development Funds. Because these funds were managed by the council secretariat the staff were also partly to blame for the financial irregularities. For example, the same audit report highlighted that the secretariat staff had wrongly charged external trip costs (air ticket and allowances) to the constituency development fund. The council secretariat procured goods for various projects worth K13 million without following standard public procurement procedures. The council secretariat was also not able to exercise its role fully to ensure transparency and accountability in the use of funds, and in also making sure that procurement of items followed set procedures. According to one staff member, the failure by the secretariat to exercise these functions was due to the powers of the MPs:

> 'We are all afraid of the MPs… even the DC does not want to be on the bad side since some of these MPs can even talk to our bosses in Lilongwe and we can be transferred..'
>
> *Interview, Salima District Council Secretariat Staff, 3 September 2010.*

The district council staff are thus unable to exercise an important role of ensuring that CDF resources are used properly largely because of the nature of the relationship with MPs with the later being viewed as quite powerful particularly when they have connections to the centre.

One of the key challenges with resource allocations within DCF is lack of adequate resources. When combined with powerful interests this means that the little resources

available in the district are consistently being distributed to the same areas. The LDF is a good example of this. In 2010, the LDF supported 23 teachers houses and in 2011, 14 houses. If allocations were based on pleasing every Traditional Authority then in 2010 they would have constructed 2 houses in each TA. However, this was not the case and allocation of LDF houses has favored three powerful chiefs in the district, Kalonga, Khombedza and Kambwiri who were closely linked with the then ruling party, the Democratic Progressive Party (DPP). One village chief explained why there were so many development projects in their area:

> 'We have so many development projects in this area because we have a ruling party MP. Previously we had an opposition party MP and it was not working....'
>
> *Interview, Group Village Headman, TA Kambwiri, 14 December 2010.*

During FGDs in one of the least favoured Traditional Authorities-Pemba villagers claimed that they did not have information on how to participate or benefit from development activities in the district.[87] The secretariat staff and some influential chiefs in the district claimed that some Traditional Authorities were not benefitting from development projects because the villagers were less willing to participate.[88] Nevertheless, the least favoured Traditional Authorities were characterised by their lack of allegiance to the ruling party, and the fact that they were in an opposition party constituency. This may explain why in the then ruling party constituencies, respondents from FGDs reported that they were receiving more 'developments' because their MP was in government.

Opposition parties interviewed felt that they were not listened to during the process of coming up with priorities. They claimed that as parties they were not invited to any

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[87] FGD, Women's Group, T/A Pemba, 24 February 2011.

[88] Interview, Senior official, Salima District Council Secretariat, 8 September 2010; Interview, T/A 1, 29 October 2010.

local meetings at village level to decide on needs, and when they contacted local chiefs they were always told that they would be invited but this never happened.[89] It was the same at district level where party officials from the three opposition parties in the district felt that they were not consulted. On the contrary, the ruling party officials claimed that they are always informed about what is going on in the district, including information on any new projects.[90]

When comparing the relationship between local people and key actors in the district, several respondents mentioned that local people value the roles of chiefs and NGOs.

> 'Chiefs stay with us in the villages…They lead us and help us to identify our needs…'
>
> *Focus Group Discussion, Women's Group, T/A Kalonga, 24 February 2011.*

NGOs were also valued because they brought projects to the communities. On the other hand, as already pointed out, MPs were nowhere to be seen at community level. There were also claims by some respondents that MPs did not support decentralisation.

> '..we see NGOs advocating for councillors. But we don't see MPs talking about it [decentralisation]. They never advocate for it. They never appear in this area..'
>
> *Interview with Village Headman, T/A Pemba area, 20 August 2010.*

This section has demonstrated that ruling party MPs and chiefs aligned to the then ruling party, Democratic Progressive Party were more influential than the rest of the actors when it came to decision-making over allocation of resources at district level. For the District Commissioner and his staff these influential actors were to be

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[89] FGD, UDF members, 21 February 2011; FGD, MCP members, 21 February 2011; FGD, Maravi Peoples Party (MPP) members, 20 February 2011.
[90] FGD, DPP members, 20 February 2011.

managed carefully. Powerful MPs and chiefs were mostly interested in bringing tangible projects to their areas rather than looking at interventions that were aimed at improving overall service delivery in the district. The section below describes the situation at the sub-district level.

5.6 Planning from below: Limited capacities, capture, and short on funds

The process for developing district development plans has been discussed in chapter three. In this chapter, the focus is on how the process actually unfolds in Salima district. The process of developing a District Development Plan (DDP) starts with village planning which occurs at VDC level, where each Group Village Headman area determines priorities. The priorities are ranked in order of importance. The plans developed at this level are submitted to the Area Development Committee at Traditional Authority level, which consolidates all the VDC plans into one ADC plan. The ADC from each Traditional Authority then submits a plan to the District Council.

In practice, the process of developing plans faces numerous challenges in the district. In addition to the challenges of capture by chiefs discussed in previous sections of this chapter, most ADCs and VDCs are considered weak since they do not meet regularly and they have not been able to facilitate the process of planning.[91] In two Area Development Committees respondents were asked how often they meet. Both respondents mentioned that they meet regularly, once a month. When asked about the last time they met, it was discovered that both committees had not organized meetings for over six months. Another challenge facing ADCs and VDCs was weak downward

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[91] Interview, Salima District Council Secretariat staff, 3 September 2010.

accountability. There were no proper mechanisms for reporting back to the communities on activities carried out by these structures.

> '..I don't know when our ADC last met.. They do not report back to the community, and the people are powerless to ask for fear of reprisals from chiefs'.
>
> *Interview with NICE Community Volunteer, T/A Ndindi, 5 March 2011.*

Where these committees are strong, it is sometimes due to the role of NGOs. For example, some of the ADCs and VDCs in Traditional Authorities Ndindi, Msosa and Mwanza were more active largely due to the training and support that they had received from UNICEF and other NGOs.[92] The challenge with such committees is that they become more aligned to serve the needs of particular NGOs. For example, with UNICEF, the focus was on making them more sensitive to children's needs. Other NGOs might bring a gender focus, or interest in disabled groups. Therefore, the capacity strengthening provided by these bodies might not enhance the overall capability of the committees to analyse information and prioritise needs for their communities as a whole.

In a number of communities it was reported that these decentralised planning structures (ADCs and VDCs) were involved in implementation of NGO project activities. The participation varied from direct involvement in implementation to 'advisory roles'. An example of this advisory role would be support in identification of volunteers in the areas where NGOs were implementing activities. As already pointed out there was very little role for the ADCs and VDCs to influence priorities. They mostly served as implementation mechanisms:

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[92] Interview, Senior official, Salima District Council Secretariat, 8 September 2010.

> 'In this community Mai Khanda project only came to tell us what they wanted to do in this area. We welcomed the project since it will reduce the deaths of women and children during pregnancy and during birth…'
>
> *Focus Group Discussion, ADC, T/A 3, 15 August 2010.*

Several respondents claimed that although NGO projects were formulated centrally and often with little involvement of the areas, they were still viewed as relevant since they focused on important development issues such as health or food security. However, there are still cases where ADCs and VDCs felt that certain NGO projects were not a priority for their areas:

> '…We had two projects here by two NGOs.. These projects were not a priority for us. The NGOs just talked to the chiefs and there was no involvement of our committee…'
>
> *Focus Group Discussion, Area Development Committee, T/A 4, 19 November 2010.*

The last quote demonstrate the powers that chiefs have as gatekeepers to the communities despite the presence of decentralised development planning structures such as ADCs and VDCs.

Where chiefs have captured local development committees there is a risk that that local priorities may not drive the agenda of these committees. Chiefs are monopolizing the ADCs and VDCs by putting their relatives and friends into these committees. The aim is to capture whatever resources or projects accessible to these committees.[93] In Khombedza area, the Traditional Authority has a lot of influence in the ADCs, which has resulted in manipulation of Local Development Fund projects in

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[93] This came out strongly in most FGDs and key informant interviews in every Traditional Authority.

the area.[94] For example, in the food for work programme, the chief used his influence on the committee to select his relatives and other friends to benefit from the programme.

The capacity challenges go beyond the community structures. At secretariat level, the finance department, which has overall responsibility to oversee utilisation of finances in the district, needs more capacity. So far, the secretariat has faced challenges in trying to recruit and retain competent staff. This is due to the largely uncompetitive salaries that the Local Councils in Malawi offer. For example, during the period under study a new Director of Finance had just arrived in the district. Before he arrived the district had stayed for several months without a Director. Generally, there is also poor record keeping and inability to produce reports consistently. When the researcher tried to examine financial records for the period as far back as 2004 it was found that only data for the last two years was properly documented. Although an electronic system, the Integrated Financial Management Information Systems was adopted by Local Councils in Malawi, it has not been rolled out completely in the district. This means that the directorate of finance is still relying on manual records, which can easily be misplaced. Between 2005 and 2009, external audits were not done in the district. It was only with support from DFID in 2010 that the audits were completed. The audit report revealed serious weaknesses in financial management. For example there were missing payment vouchers and lack of signed receipts for over K34.7 million. Project materials worth approximately K2 million for various development projects were also procured without any quotation.

The financial and technical capacity to carry out the monitoring and supervision of decentralised structures is also weak. The secretariat has limited financial resources to

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[94] Interview, NICE Volunteer, 13 August 2010.

procure fuel to travel to various parts of the district.[95] Within the council budget very little is allocated for monitoring of sub district activities and supervision of development activities. In addition there is only one Monitoring &Evaluation (M&E) Officer in the district who has to support 10 ADCs and scores of VDCs. Up until 2009, the district did not even have one M&E Officer. The same officer is responsible for writing reports, supporting the development of the DDP as well as monitoring various projects being carried out in the district. This makes supervision of ADCs and VDCs unrealistic and irregular. As a result most of these committees run on their own with limited guidance. In such cases the committees are left with long wish lists of needs with no thorough analysis. This cascades to the district where the secretariat receives 10 ADC development plans, which outline priorities in each Traditional Authority. The secretariat then has to try and make sense of these long lists of wishes, and somehow put these into a well-orchestrated development plan. This process is not easy given the capacity challenges already outlined above:

> '…Our DDP expired in 2009 and so far the district has not come up with a new one. Consultations were done at community level, but the secretariat has been secretive on the DDP.. we just hear that they are developing one, and if we ask we are told to wait….'
>
> *Interview, Centre for Human Rights Rehabilitation*
>
> *(CHRR) staff, 30 October 2011.*

The fact that the district has stayed for over two years without a DDP may suggest that the secretariat is facing certain challenges to complete the task. The implication is that the little resources available through LDF, CDF and NGOs cannot be aligned

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95 Interview, Senior official 2, Salima District Council Secretariat, 24 January 2011.

with district priorities within an existing plan. The absence of a plan provides a fertile ground for informal influencing and capture.

The district has also not been able to carry out any evaluations of previous DDPs.[96] There is nothing in the data collected, which could explain this situation. At community level, data from FGDs suggest that communities do not get any feedback on the plans that their committees have developed.[97] Respondents in one Area Development Committee (ADC) claimed that they have been submitting proposals regularly but with no feedback from the council:

> 'We contribute to the setting of priorities on development projects.. we deliver these project proposals to the district council. They tell us to wait until when resources are available….But they do not respond...'
>
> *Focus Group Discussion with Area Development Committee, T/A 3, 15 August 2010.*

At every level of planning, from VDC to district level consolidation of priorities, the downward accountability was non-existent, and the process ended with development of plans. No follow up was made on what aspects of the plans were achieved. Some villagers have tried to by-pass their committees and follow up with the district secretariat directly on the status of implementation. One project, implemented by Centre for Human Rights Rehabilitation (CHRR) has worked with local people to create a mass of empowered individuals who can demand information from the district secretariat. However, this project has not gone well with district officials. According to a key informant:

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[96] Interview, Salima District Council Secretariat staff, 3 September 2010.
[97] FGD, Village Development Committee (VDC), T/A Pemba, 16 April 2011; FGD, VDC, T/A Kalonga, 16 April 2011.

> '…the villagers have adopted a bossy attitude… and they have no respect for what we do.. they should come here to submit requests and not demand anything..'

> *Interview, Salima District Council Secretariat staff 2, 5 September 2010.*

During FGDs and key in-depth interviews with local chiefs respondents stated that the secretariat staff were difficult to work with and 'had no time for villagers'. Some respondents claimed that the secretariat staff were not accommodative because they were well educated and did not want to be influenced by uneducated villagers. On the other hand district secretariat staff argued that villagers often had unrealistic demands.

> '..every time we put in a lot of effort to develop these plans…but we never get the funding necessary to implement them..the villagers think that we are hiding resources…'

> *Interview, Salima District Council Secretariat staff 2, 5 September 2010.*

What makes the situation complicated is that villagers have no direct means to hold secretariat staff accountable. This is because local government staff members are not elected representatives. So far the council secretariat has been under no obligation to demonstrate transparency in drawing up of plans and development of budgets. There are signs that the council secretariat can still improve its transparency in the present environment where there are no councillors. For instance, in 2009 the council secretariat adopted use of a notice board where they post information about LDF allocations and annual budgets. However, this information has rarely been updated.

Overall impressions in the process of developing district development plans are that this exercise is largely academic. In addition to local capture and manipulation by chiefs and party loyalists most ADCs and VDCs lack capacity to formulate plans. The limited capacity also extends to the council secretariat, which has failed to provide

support or monitor activities of these sub district structures. Worse still, there is limited downward accountability on the extent to which previous DDPs have been implemented. As a result, communities are left in the dark with regard to the performance of these plans.

5.7 Attempts to strengthen decentralisation process: Inherent limitations

This section examines attempts made by various organisations to strengthen the implementation of decentralisation in the district. Since 2004, a number of actors have supported various capacity building programmes in the district. This support has focused on both technical and political aspects of the reforms, and has targeted all levels from the district bureaucrats to the structures within local communities. In this section two actors are discussed, namely: the German Development Agency (GIZ), and the National Initiative for Civic Education (NICE).

The German Development Agency[98] (GIZ), a bilateral development arm of the German Government in Malawi has been implementing various capacity building activities to strengthen the capacity of local councils in Malawi. In Salima GIZ established its programme in 2004. The programme is supporting the district council in several areas including the following:

- Financial Management,
- Team Building for staff members,
- Change management,
- Provision of office equipment.

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[98] Previously the German Development Agency was known as GTZ, and changed its name to GIZ in 2011.

In addition to the areas outlined above GIZ is also providing support to Salima District Council in development planning. The emphasis here is development of realistic development plans which include budgets. GIZ had also planned to orient new councillors on their roles and responsibilities. However, GIZ has not been able to focus on the capacity of elected representatives due to the postponement of local elections. Hence, the focus has been on staff of the council secretariat. Here the program has faced key challenges. First, staff shortages in key departments such as finance and district development planning mean that the programme often did not have the necessary people with sufficient levels of skills to train. For example, the Director of Finance has recently been recruited, and before him there were a number of officers acting in that position. At least for the directorate of planning and development, the head of the directorate has been in the district for several years. This means that GIZ has had a focused capacity building programme with the planning directorate. Other challenges faced with the programme are with respect to politics in the allocation of resources, which have already been discussed in the previous sections of this chapter.

The National Initiative for Civic Education (NICE) is joint programme by Government of Malawi and the European Union. Between 2009 and 2011 NICE was implementing a Democracy and Good Governance Project. The project was aimed at creating awareness amongst community members on the roles of various decentralised structures and actors such as councillors, area and development committees. In the absence of councillors the projects focused on creating awareness on the roles of MPs and chiefs, and training ADCs and VDCs in their functions. The project, which ended in 2011, was being implemented in all ten Traditional Authorities in the district.

Since the creation of the Local Development Fund (LDF) in 2009 NICE also undertook the responsibility to disseminate information on how communities could apply for funding. NICE claims to have made significant progress in revitalising ADCs and VDCs particularly to ensure that there was transparency in election of committee members. Still there are huge political challenges.

> 'Since 2009 we have received a lot of complaints from villagers who claimed that the ADCs and VDCs were being 'hijacked' by chiefs. In several of the TAs here in Salima the chiefs were handpicking representatives to sit in the ADCs and VDCs… So while we have made progress, there have also been many problems…'
>
> *Interview, former NICE Coordinator, 1 August 2010.*

GIZ and NICE have emphasised several aspects of reforms. GIZ has focused on technical aspects of planning and financial management, while NICE is more concerned with capacity building of ADCs and VDCs to plan effectively. Both efforts have come up against political challenges such as local capture and informal influencing. There are also real capacity challenges at all levels from the secretariat to community structures.

5.8 Conclusion

This chapter begun by asking what the reality is for decentralisation in Malawi, and specifically in Salima. An argument has been made in this chapter that the reality of reforms is far from what was originally conceived in the Constitution and Local Government Act. It also diverts from the literature on devolution/ democratic decentralisation. The way reforms have evolved so far show that ruling elites have extended their powers to the local arena in the district and hence reforms are characterised by centralisation.

The centralisation of reforms is evident in a number of ways. First the ruling party elites at the centre co-opted certain local elites (chiefs and ruling party MPs) to maintain control over the local arena. In return for their loyalty to ruling party elites MPs and chiefs (with links to the ruling party) have more informal powers to influence allocation of resources. Therefore, local elites draw their powers from this relationship to the big man/woman and the ruling party. The centre is also maintaining control over local bureaucrats through centralisation of powers to hire, promote, transfer, or fire senior officials including the District Commissioner. This has placed a burden on these bureaucrats to respond to the 'requests' from powerful local elites with the right connections, otherwise they can be sanctioned. Centralisation has also been manifested in the slow pace of devolution, which has resulted in continued influence, by central ministries over formulation and approval of sector plans and budgets.

The District Consultative Forum (DCF) is fraught with problems. As an advisory body it lacks a comprehensive mandate to make decisions. The fusion of executive and legislative functions (based on the inclusion of bureaucrats in this structure) has made it complicated for the DCF to hold council staff to account. Worse still, the 'side effects' of reforms have also rendered the DCF toothless with local elites (such as chiefs and ruling party MPs with the right connections) calling the shots through informal influencing. Generally, the local council has seen its budget increase as a result of central transfers (sectoral funds). However, decision making over resource allocation is constrained by earmarking of funds by both central government and donors, which subverts the underlying principles of devolution/ democratic decentralisation. There is very little the council can change, and often its own locally generated revenue is too small to invest in anything significant.

The Government of Malawi with support from donors also developed a comprehensive development planning system for local councils. This planning system emphasizes technical aspects of identifying priorities and ranking them. It does not provide answers to the difficult questions of how to manage the politics in development committees, which supposedly are at the centre of this process. As this study has revealed in addition to limited capacity these development committees are prone to capture by local chiefs and their relatives/ friends in both ruling and opposition party areas. Since chiefs are not elected, it makes it difficult to hold them to account, and this undermines the principles of democratic decentralisation.

Donors and NGOs are also subverting decentralisation through their emphasis on efficiency, which has led to the setting up of many project committees to facilitate implementation of activities. These committees operate outside the formal decentralised structures, which make it difficult for local communities to hold them to account. Such structures divert the necessary support that local development committees need to work. Where these NGOs work with existing structures they sometimes rearrange the roles of these committees to serve their interests. Such emphasis on technical aspects rather than dealing with the political and 'easily captured' decentralised structures ignores the realities of development as a political process. Yet, even these NGO formed structures are not immune from politics or capture. Another problem with these NGOs is that they come to the district with pre-conceived projects, which mostly respond to interests of the donors. So while some donors lobby Government to implement political aspects of decentralisation (as the next chapter will show) the actions of donor funded INGOs and NGOs at district level ignore the politics of development and emphasize the technical aspects.

So given this context—of centralisation of reforms by ruling elites, the undermining of reforms by donors and NGOs—and 'side effects', mostly due to informal influencing and capture by local elites, it is yet to be seen whether and how the benefits of decentralisation (devolution) will be realised in Salima district.

Chapter Six

6. 'Mission Incomplete': Actors, and incentives for reform and non-reform in Malawi

6.1   Introduction

The previous chapter has focused on presenting findings from the case study that was conducted in Salima district. This chapter aims to position these findings within the broader implementation of reforms in Malawi and elsewhere. This chapter will argue that ruling elites in Malawi particularly under wa Mutharika subverted the successful implementation of decentralisation. Wa Mutharika and his Democratic Progressive Party took steps to consolidate control over both local actors and funding available to local councils.

It will also be shown that actions by donors have undermined decentralisation and this raises questions on the good governance agenda supported by many of these donors. For example, there are a lot of inconsistencies between the official positions and reality in terms of how donors pursue the good governance agenda—while on paper there might be claims that crisis of governance has to be dealt with in order for Africa to develop in practice millions of (earmarked) dollars are injected into the country with very little asked about the quality of politics. Worse still, there appear to be no common position which donors can push in their interaction with the central government in Malawi. This chapter will show that these inconsistencies have allowed the neopatrimonial state to access vital resources to service its patronage networks.

The chapter starts by analysing the various actors driving or stalling decentralisation in Malawi, and their incentives, and it relates this to literature on decentralisation. It then moves to a critical analysis of the extent to which the main research questions and hypothesis in this study have been satisfied.

6.2 Key actors and interests in pursuing/ stalling decentralisation at national level

This section analyses the key actors and their interests in the pursuit of decentralisation in Malawi. From the findings there are various actors who are either supporting or stalling reforms in Malawi. Evidence suggests that political and bureaucratic actors at central level have certain self-interests, which are making the reforms difficult to implement as it was envisaged in the decentralisation policy and Local Government Act. Evidence also shows that the role of foreign actors in Malawi cannot be underestimated, particularly the multilateral and bilateral agencies that also have varying interests in the reforms. The picture that emerges with reforms in Malawi is complex with a big gap between the rhetoric and how reforms evolve in practice.

Key informant interviews and document review suggest that pursuit of democratic decentralisation followed the rise of multi-party politics in 1994 in Malawi. This trend is similar to what happened in several countries in Africa that adopted democratic form of governments starting from early 1990's. And since the adoption of decentralisation policy in Malawi in 1998 a number of donors have come to the fore to support roll out of reforms. In fact it can be argued that some of these donors have now become the main driving force towards democratic decentralisation in the

country.[99] This does set the interests of some of these donors on a collision course with those of political and bureaucratic elites at national level in Malawi. The later sections of this chapter will show how the central government and donors interact in pursuit of their varying interests.

6.2.1 Donor Interests in Malawi's reforms

There are several donors supporting decentralisation in Malawi. The majority of these donors are part of what is called the Common Approach to Budget Support (CABS) Group. The CABS Group acts as a common front for several donors in engaging with the Government of Malawi particularly over macro-economic and political reforms in the country. These donors provide general budgetary support in return for the Malawi Government's commitment to implement agreed reforms. Members of CABS are: Germany, United Kingdom through the Department for International Development (DFID), Norway, European Union, the World Bank and the African Development Bank. The United Nations Development Programme (UNDP) is included as an observer.

According to a key informant[100] from CABS Secretariat, every year the group together with the Government of Malawi agree on a country performance assessment framework (PAF)[101] which outlines economic and governance indicators and targets

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[99] UNDP/UNCDF, GIZ, USAID and DFID are supporting political aspects of decentralisation, while World Bank and AFDB are focusing on fiscal decentralisation and Local Development Fund.

[100] Interview, former Common Approach to Budget Support (CABS) official, 4 April 2011.

[101] The performance assessment framework is jointly developed by Government of Malawi and CABS donors. It is an unpublished document, which is used to assess performance in a number of areas. Donors make decisions based on the results. For example the Common Approach to Budget Support (CABS) Review in 2007, commissioned by European Commission et al (2007), pointed out that the results of the assessment were satisfactory leading to the release of about K16 billion by the CABS donors.

that have to be met. Different agencies put emphasis on government's performance on certain indicators as a precondition for continued support. For example, others stress macro-economic reforms while others put emphasis on political aspects of reforms. In addition to different interests of agencies in the various indicators in the PAF there is also consensus that all general budgetary support is based on the performance of the Government in implementing the IMF extended credit facility (ECF) programme. The CABS review, which happens annually, comes up with recommendations, which the government of Malawi should focus on. For instance, the 2007 CABS review highlighted various problems that needed to be dealt with such as over expenditure and failure to hold local government elections (European Commission et al 2007). The individual CABS members and other influential donor agencies in Malawi are discussed next.

The World Bank is one of the key development agencies supporting the Government of Malawi. The World Bank has been a key partner in the implementation of development programmes in Malawi since the 1960s when the country gained independence. This support has come in the form of grants and loans. Along with this financial assistance the Bank has also been instrumental in providing policy guidance particularly in the area of economic reforms. The impact of this financial assistance has been mixed in Malawi. The national elites in Malawi have been able to provide certain public goods and services as a result of this support. For instance in the 1960s and early 1970s the country developed its power system through assistance provided to the Electricity Supply Commission of Malawi (ESCOM). World Bank support has also been invaluable to develop road infrastructure, for example, the highway project that connected the southern region to central and northern regions. More recently, the Bank has been providing assistance to the Government of Malawi to implement a

nutrition and HIV/AIDS project. Under this project, the government has provided life-prolonging drugs (antiretroviral drugs) to thousands of women and men in Malawi. The project also enhanced prevention efforts through supporting prevention of mother to child transmission of HIV and voluntary male medical circumcision.

There are also negative outcomes from the assistance. Mainly, this relates to the impact of advice provided by the Bank, as well as the manipulation of financial assistance by ruling elites in Malawi. With regard to policy direction, in the 1980s the World Bank together with other agencies such as IMF embraced a set of neoliberal economic policies, which were known as the structural adjustment programmes (SAPs). SAPs were aimed at reducing the size and reach of the state. In Malawi, the reforms had negative effects. According to Fritz and Menocal (2006: 3) some of the areas that were negatively affected include, provision of basic social services, maintenance and modernisation of civil services and financing of the state. SAPs also led to decline in decentralised state capacity due to the reduction of the number of staff in civil service especially at lower levels (Eggen 2011: 322). This negative effect on decentralised state capacity extends to the implementation of current reforms, whereby local councils suffer from inadequate staffing. With regard to economic performance, SAPs weakened the country's economy with growth averaging only 2.5% per year between 1979 and 1996. During this period, Malawi's GDP fell to one of the lowest in Africa (Booth et al 2006: 5). In several other African countries SAPs did not perform well. In Nigeria, a comprehensive structural adjustment programme initiated in 1986 by the Babangida military regime in collaboration with the World Bank, registered some modest successes in stabilizing an ailing economy in the early years of implementation. However, over time 'economic management weakened as the ruling elites showed greater signs of economic indiscipline and despotism' (Lewis

1999: 50; also see: Lewis 2006). In contrast to the situation in Nigeria, the Banda government in Malawi was fairly compliant in implementation of SAPs (Booth et al 2006: 5). However, the measures failed to take into consideration the underlying problems- population growth of 3.2%, declining soil fertility, unequal land distribution and many other factors. This has been one of the perpetual problems with regard to advice provided by external actors in the sense that in a number of cases (as this example of SAPs demonstrate) there has been lack of adequate analysis of factors related to poor governance and economic performance in Malawi. Instead of pushing through economic reforms to developing countries, the World Bank and other development agencies should have done better analytical work to understand to the contexts and issues affecting development in each of these countries including Malawi.

The national elites in Malawi have also benefited from support by World Bank and others by capturing these resources to implement their own policy direction. For instance, in 1986, despite strong donor pressure, the country re-introduced subsidies. Some observers believed that this would result in a cut off of USAID and World Bank funds (Booth et al 2006: 31). But it did not. According to Booth et al (2006: 31) having presented Malawi as a shining example of SAPs in Africa the Bank would have found it difficult to pull out. This failure to decide on, and apply effective sanction in the case of elites not following agreed plans has been a constant theme since the era of the one party state. This represents very complex situation- donors such as the World Bank and others have invested a lot in the country for many years. Pulling out aid in the case of non-compliance might be seen as an acknowledgement that donors have also failed. On the other hand, staying the course on the part of the donors provides an opportunity for them to 'hope' that the country will pursue

reforms, given to continued flow of aid and the conditionalities attached to it. According to Englund (2002: 19) since the return to multipartysm in Malawi reforms have been shallow with 'leaders' demonstrated capacity to continue with corruption and plunder'. The 'shadow state' has allowed the state to ensure flow of aid as political leaders have pursued some (not all) aspects of good governance reforms.

World Bank's support to decentralisation in Malawi is provided in this context of the shadow state whereby political leaders have demonstrated capacity not to pursue reforms to the fullest especially where such policies are detrimental to political leaders' interests. In terms of the current decentralisation reforms, the Bank is one of the key actors supporting the Local Development Fund, which up to now is the largest mechanism for funding development projects within local councils. As a member of the CABS the Bank is mainly interested in the country's performance on economic indicators, and this is also reflected in its interests for fiscal reforms in support of the Local Development Fund. This is in contrast to the picture at global level where the World Bank has adopted a position, which tilts towards democratic decentralisation. Globally the World Bank views decentralisation as critical to improve transparency and accountability at the local level, and primarily to enhance service delivery. In fact on its website the Bank has mentioned that councillors are necessary for the operations of councils in Malawi (World Bank 2012). But in practice the officials of the Bank in Malawi are reluctant to engage in what may be referred to as 'interfering in political issues' for example, pushing for local government elections in Malawi. This is expressed in a quote from one of the key officials at the Bank in Malawi:

> 'Our country agreement with Malawi does not allow us to get involved in politics, and therefore doing so would be directly contravening this agreement…we watch

from the sidelines as the other donors base their country assistance on political indicators'

Interview, World Bank Official, 12 May 2011.

The actions of the World Bank reflect huge contradictions in the implementation of their own policy. As already pointed out in chapter three, as early as 1987 the World Bank had released an assessment report in Malawi which concluded that the government would not make progress in tackling poverty unless if the people were directly involved in the development process. Prior to this, in the 1970s and 1980s the World Bank and IMF had pushed for 'rolling back the state' (Jenkins and Plowden 2006:28). In 1989 the World Bank in its report argued that Africa's development challenges were due to a crisis of governance (Jenkins and Plowden 2006: 28). The emphasis was on how to make central governments more efficient. By the late 1980s the World Bank was explicitly mentioning the role of governance in addressing Africa's development challenges. In 1991, the World Bank went further in its review of public sector programmes and acknowledged that powerful vested interests were one of the major challenges to successful reforms. Therefore, African countries needed to address governance as pre-requisite to development (Lawson 2005: 92).

According to Hyden et al (2004: 15), the World Bank's analytical work from the 1980's has focused on three elements of governance as follows; form of political regime, a process of exercising authority in managing economic and social resources for development, and the capacity of government to design, manage, and execute its policies. Despite this rhetoric with its analytical work on governance, the World Bank has shied away from political aspects of reforms, and Malawi is one example of this case. Since the late 1990s and early 2000s, the World Bank has supported deconcentration in several countries such as Sierra Leone, Rwanda, Nepal, Burkina

Faso, and Madagascar. In these countries reforms were aimed at improving service delivery (World Bank 2008). Yet, in many of these countries decentralisation reforms are failing largely due to political factors. As Jenkins and Plowden (2006: 1) have argued this policy of non interference has led to the World Bank supporting incumbent regimes with no regard to the quality of government.

In the case of Malawi the inconsistency between the rhetoric on democratic decentralisation (on paper) by the Bank and how its officials interact with government in Malawi has provided an opportunity for political leaders to access vital resources and to pursue their interests. For instance, although on its website the Bank has insisted on the importance of elected representatives at local level (councillors) the fact that at country level it is pursuing an apolitical approach, means that the government does not feel significant pressure from the Bank to conduct local government elections. It complicates matters for the donors by denying space for a common position, and in turn this allows political leaders to access resources from some donors even when others freeze or withdraw aid.

As a major funder of the Local Development Fund (LDF) the World Bank has committed $65 million for the period 2009-2013.[102] The Bank's support comprises of a loan and a grant. The Bank had also supported, the Malawi Social Action Fund, a predecessor to the LDF. From key informant interview with the World Bank's officials in Malawi, the areas of support for the LDF are negotiated between the Bank and the Government, and it is these negotiated priorities that are put in the Bank's country development strategy. However, this may be far from the true picture of how the funding is allocated. As an interested party motives of the World Bank have shaped the way that decentralisation reforms are being implemented in Malawi

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[102] Interview, World Bank official, 12 May 2011.

particularly with regard to financing of development activities at council level. The interests of the Bank in the LDF are evident with respect to earmarking of funds to support specific tangible development projects particularly in the education sector and public works programmes. If this support through the LDF was to be meaningful to districts, the Bank should have seriously considered provision of 'un-earmarked resources', which would fund priorities in the District Development Plans, rather than districts trying to re-align their priorities to suit the interests in the LDF windows.

The Government of Malawi has vested interests in the funds that it receives from the World Bank. The funding to the LDF is used to deliver tangible projects such as constructing teachers houses, or renovating roads as part of public works programmes, and many other projects. Such projects may present an opportunity to the ruling elites at the centre to reward their supporters as it has been demonstrated in chapter five. Therefore, it can be argued that the World Bank is a source of funding for the neopatrimonial state. As already argued, the inconsistency between donor approaches in Malawi provides an easy ground for political leaders to access resources and to deliver on their various promises to their supporters. In the case of the Bank the strict emphasis on economic reforms rather than political means that it has (and continues) to provide assistance even when other donors withhold theirs due to lack of progress on certain political reforms.

Ruling elites in Malawi have demonstrated responsiveness to the advice from the World Bank with regard to the management of the Local Development Fund (LDF). For instance, due to the influence of the World Bank the LDF closely resembles its predecessor, the Malawi Social Action Fund (MASAF).[103] It is quite possible that the

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[103] Interview, Local Development Fund (LDF) Technical Support Team Staff, 14 March 2011.

technical aspects of reforming the LDF driven by the World Bank are less threatening as compared to political reforms such as holding of local government elections. According to a key informant at the Local Development Fund, the World Bank has been given a lot of leeway to influence how resources are earmarked.[104] The government has put in place technical guidelines in terms of how local councils can access the funds and these were formulated with technical leadership from the Bank. Just as in the MASAF model, in the LDF the World Bank has promoted the formation of project committees at community level to manage community projects.[105] As it was observed with the NGO committees in chapter five, these project committees promoted by the World Bank also undermine the relevance and authority of formal decentralised structures such as the ADCs and VDCs.

The ruling elites at the centre have maintained control over the LDF by housing the fund within the Ministry of Finance under the leadership of the Finance Minister. This is contrary to the original concept whereby the LDF would have been an independent mechanism to channel resources to the local councils.[106] And as has been argued in the previous chapter, the Finance Minister has been able to issue directives to influence how resources are implemented. So far the World Bank, at least in public, has not questioned these decisions. This might partly be due to the fact that most of the funding is allocated based on the similar guidelines which were used under MASAF and hence meets the standards of the Bank. It can be argued here that the interests of the Government of Malawi and the World Bank merge in the implementation of the LDF. The focus by the World Bank on efficient delivery of specific projects allows the ruling elites to use the funds in ways that entrench the

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[104] Interview Local Development Fund (LDF) Technical Support Team Staff, 14 March 2011.
[105] Interview, World Bank official, 12 May 2011.
[106] Interview, Senior official- Ministry of Local Government, 6 October 2010.

neopatrimonial state in Malawi. This is because, as it has already been argued, the World Bank has so far shown less concern on political reforms such as the role of local elites in making decisions over the allocations. Since what counts is delivery of the projects, the ruling elites can easily influence where such projects are implemented, with little or no consequences from the World Bank. The World Bank and other donors supporting the Local Development Fund (LDF) should have done a better job to agree on common positions and advance these as a set of conditionalities that all donors are interested in, rather than each donor applying its own interests as it sees fit.

As already argued above, the earmarking of resources by the World Bank and the Government of Malawi is against the spirit of decentralisation policy in Malawi whereby local councils are expected to formulate their own local plans, within the framework of a national policy. As the previous chapter has shown earmarking of funds renders useless the time and labour intensive process of the district development planning system. For example it means a council whose priorities are to construct a health centre in a particular community is forced to instead renovate roads. An official at the Local Development Fund (LDF) pointed out that the funding provided by the World Bank is not a blank cheque, but rather earmarked funding to which Councils must adhere.

> '..Earmarking of funding has limited the extent to which Local Councils can use funding to respond to priorities within their district development plans….It is our hope that in future the Bank will change its position..'
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> *Interview, LDF Technical Support Team staff, 14 March 2011.*

As has been pointed out earlier comparisons can also be drawn to the LDF predecessor, the Malawi Social Action Fund (MASAF). The World Bank and the

Government of Malawi provided funding in MASAF, which was largely earmarked. It is therefore not surprising that when the former Minister of Finance, Goodall Gondwe made a ministerial decision for the LDF community window to focus on teachers houses, the World Bank supported the decision with large proportion of its funding to the LDF going towards this.[107] As a result other funding windows providing less tangible services, for example, the performance window, have always been underfunded.

The Africa Development Bank, another CABS member also shares World Bank interests in the fiscal aspects of decentralisation in Malawi. Like the World Bank its policy is not to get involved in the political issues. AFDB emphasizes technical aspects of reforms, a position which is similar to the World Bank's non-interference policy. A senior advisor at AFDB claimed that they do discuss governance issues but only behind closed doors as opposed to other agencies that do make their positions known in public.[108] The AFDB has also earmarked its funding to the local councils, with the bulk of resources going towards the Local Economic Development project which has been designed outside the LDF. Similarly the AFDB has been accused of imposing vertical programmes within the LDF.[109]

Other development agencies, namely UNDP/UNCDF, DFID, Norway, USAID and German Development Agency (GIZ) are on the other side of the coin and are more pronounced in their support for democratic decentralisation. Out of these, Norway, Germany and DFID are members of the CABS group while UNDP is an observer. Perhaps a characteristic shared amongst this category is that they are all bilateral

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[107] Based on Interviews, World Bank official, 12 May 2011; LDF Technical Support Team Staff, 14 March 2011.
[108] Interview, African Development Bank (AfDB) official, 26 January 2011.
[109] Interview, LDF Technical Support Team staff, 14 March 2011.

agencies with the exception of UNDP/UNCDF, which is a multilateral agency. Key informant interviews with all of these agencies revealed that are strongly grounded in democratic decentralisation, and see the role of locally elected representatives (councillors) as critical to ensure responsiveness of local councils.[110] These agencies are pursuing the political aspects of 'governance' and have not shied away from openly trying to influence the government to pursue certain political reforms around decentralisation.

These agencies have public policy positions on decentralisation, and are implementing various governance programmes to strengthen citizen participation and create awareness on the roles of various duty bearers. As chapter three has shown, the UNDP was very influential in the development of the decentralisation policy in Malawi. Another bilateral agency, the UK's Department for International Development (DFID) runs a governance programme with over 7 million pounds every year. A large component of their programme is support to the civil society fund, which is aimed at increasing accountability and citizen participation in service delivery. Other partners in the civil society fund include Norway and Irish Aid. DFID is also supporting a local accountability project in 10 districts where communities score services through use of a scorecard.[111] As previously pointed out, DFID is amongst donors that openly support the role of the councillors and according to an official from DFID's Governance Team, the agency has been allocating funds in its

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[110] Interviews; USAID Governance official, 2 February 2011; DFID official 2, 15 October 2011; DFID official 3, 15 October 2011; United Nations Capital Development Fund (UNCDF) staff, 29 September 2010; GIZ Governance official, 3 October 2010.
[111] The scorecard is considered as a tool through which communities can hold service providers to account. The scorecard is a compilation of indicators generated at local level about a specific service, e.g. health centre, school, or agricultural programme.

governance portfolio since 2008, towards supporting local government elections.[112] Each year when elections failed to take place DFID would reallocate the resources to the next annual budget with the hope that elections would finally materialise.[113] The agency has also openly expressed its concerns to the Government of Malawi on the postponement of the local government elections in Malawi.

USAID, Norway and German Development Agency (GIZ) also share DFID's concerns over absence of councillors in Malawi. These development partners are actively supporting programmes aimed at clarifying roles of various actors involved in decentralisation at district level. One form of this support is the funding provided by DFID and USAID to a civic education programme, which aims at educating communities about the roles of councillors. This was done in preparation for local government elections (LGE), which were expected in 2010 and later on in 2011.[114] GIZ, a German Government Development Agency has been supporting the Government of Malawi to develop educational materials on the roles of various actors and structures at district and community levels, particularly the role of councillors vis a vis other actors.

GIZ, USAID and UNCDF are also implementing capacity building projects at district level to enhance technical capabilities of staff in council secretariats. UNCDF and GIZ are working in several districts in the country to strengthen capacities in planning and financial management. USAID has supported the provision of technical support in financial management. This is done through public-private partnership with a local Bank, Standard Bank, which has provided a group of chartered accountants to coach district staff. In addition to the work of USAID on financial management, Irish Aid, a

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[112] Interview, DFID official, 15 October 2011.
[113] Interview, DFID official 3, 15 October 2011.
[114] Interviews, DFID official 2, 15 October 2011; USAID Governance official, 2 February 2011.

development agency outside the CABS group and GIZ are funding the placement of financial analysts on non-established contracts at every council as one way to address shortage of key staff within council secretariats.

One of the key findings from this study is that the second category of donor agencies, which comprise DFID, Norway, Germany (GIZ), UNCDF/UNDP and USAID, are focusing on both political and technical aspects of reforms. This is in contrast to the position of the World Bank and Africa Development Bank (AFDB), which is largely on economic affairs. Largely technical reforms have been well received by central actors. The reasons for this are presented in later sections of this chapter.

Amongst this second category of donors, only Germany through KFW, a German Government-owned Development Bank, provides support to the Local Development Fund (LDF). DFID was involved in the conceptualisation of the fund but so far has not put in any resources into the fund. Similar to the World Bank and AFDB, KFW has also earmarked its funding in support of the urban window which can be accessed by urban councils only for the development of various social infrastructure. This means a large majority of rural district councils cannot access these funds, and yet they may be the ones with the lowest capacity to generate local revenue. In contrast to the World Bank and AFDB, the Germans have linked their contribution to progress in political aspects of decentralisation. To make this position clear the Germany government withheld funding to the Government of Malawi (about $7 million) in 2011 due to the postponement of the Local Government Elections, which they consider essential for a democratic society (Sonani 2011). The Head of Development Cooperation at the German Embassy in Malawi has pointed out that the holding of elections was one of the conditionalities for disbursing funds under the LDF. A statement from the Embassy reviewed in this study indicated that:

'The German government was committed to supporting the decentralisation process and democratic participation of the people in developing Malawi…and would support elections when they were held..'

Quoted in Sonani (2011)

This analysis of various donors who are involved in decentralisation has shown that interests are varied, at least by what these agencies do in public. This diversity of interests by donors in Malawi's decentralisation reflects what de Sardan (2011) has characterised as 'pollution of governance' with each agency defining and approaching governance in its own way. Nanda (2006) argues that the term governance is 'unsettled' with donors defining its elements differently. Donors such as World Bank focus economic aspects of good governance, while other donors attach political conditionalities (Nanda 2006). The different approaches to governance reforms put donors in a weak position to negotiate with countries on how and which reforms should be prioritised. As the case of Malawi has shown with regard to decentralisation such varying positions by donors allow the state to pursue its own agenda. This is because there is no common position, and the government can play the right cards with some donors in order to receive funds. For instance while Germany had withheld aid to the LDF during the wa Mutharika administration, the World Bank and African Development Bank still disbursed funds which enabled the government to implement its programmes with little or no consequences. In addition, although DFID suspended general budgetary support during the wa Mutharika regime, the agency still provided sector budget support, and this allowed the state to still access vital resources to run its programmes.

In a multiple case study research of several countries implementing decentralisation

Jutting et al (2004) has shown that successful performers were characterised by strong government commitment and ability to pursue reforms. Some of these successful countries include: Bolivia, Philippines and India (West Bengal). In these countries reforms were inspired by the need to change political, social and economic conditions in the context of measures such as democratisation, participation and poverty reduction (Jutting et al 2004: 15). All good performers were also characterised by strong donor involvement (Jutting et al 2004: 19). However, this does not guarantee successful reforms, for example in Egypt and Nepal (Jutting et al 2004). In poor performers such as Mozambique, Nepal and India (Andrah Pradesh) donors lacked coherent strategies to support reforms. Jutting et al (2004: 22) have quoted a 2003 OECD-DAC report on decentralisation and local government, which concluded that although there were some examples of effective coordination between donors, in the majority of cases coordination was generally weak at both national and local government level. This is also the characteristic of donor approaches in Malawi.

According to Nielsen (2002: 176) donors provide 70-80% of the funds for development investments in Malawi. These funds are earmarked for specific priorities, which are 'donor designed' (Nielsen 2002:176). Such huge amounts of funds can easily be exploited to service the neopatrimonial state in Malawi. In fact, the lack of common position by donors in their engagement with government make it easier for the neopatrimonial state to 'capture' these resources and to use them in ways that ensure that the patron (usually the president) builds support and loyalty.

One way through which ruling elites are able to ensure continued flow of these resources from donors is the balancing act in dealing with interests of these donors. For example, the LDF is a major source of development funding in local councils, and ruling elites may have strong interests to capture this funding in order to reward their

followers. This might explain why the LDF remains a priority since its inception in 2009 as it provides funding through which political actors can be seen to provide public and private goods in exchange for support. As has already been pointed out, the government has addressed the technical aspects of reforming the LDF, the results of which have meant continued funding from the World Bank and others. On the other hand ruling elites at national level in Malawi have not responded well to the push for political aspects of decentralisation to be rolled out, for example holding of local government elections. The consequences for this have not been as serious when one compares the funding withheld by KFW and the amount of money that the World Bank puts in. Therefore, knowingly (or unknowingly) donors are providing vital resources for the neopatrimonial state to 'oil' its patronage networks.

6.2.2 The 'Big Man/ Big Woman', ruling party elites and centralisation of reforms

As has been argued in chapter three, Malawi is a typical Africa neopatrimonial state. Some of the key elements of this state which are useful for the discussion below include the 'personalistic rule with the big man/woman syndrome', 'dominance of vertical over horizontal ties', and weak or no separation between public and private spheres which is demonstrated through the use of public resources to reward supporters'. Ruling elites try to stay in power through maintaining control over distribution of public resources at national and local levels. These characteristics of the neopatrimonial state are driving the implementation of public policy in Malawi, including decentralisation. Politics in Malawi are also characterised by 'political opportunism', chameleon politics, weak political parties, and 'parallel rule' with chiefs also playing huge formal and informal roles.

Since 2005 the interests at national level amongst ruling elites have been varied and present a complex picture rather than straightforward causal-effect relationship. The UDF Government, which came to power in 1994 following the first multi-party elections, initiated the roll out decentralisation in Malawi. However, it still took four years before the decentralisation policy and Local Government Act were in place. The first ever-local government elections only took place in 2000; six years after the UDF government had come to power. In fact, when the UDF government allowed the elections to happen, it had gained a significant majority in parliament. The results from the local government elections were positive for the ruling party, which won over 80% of the local council seats in Malawi.

In contrast to the UDF regime, the former DPP government, which was in power between 2004 and 2012, was not willing to hold elections. After postponing the elections from 2006 to 2011 the late President wa Mutharika finally cancelled the elections and directed that they should be held together with parliamentary and presidential elections in 2014 (Munthali 2011). Prior to the cancellation the late President had closed the Malawi Electoral Commission for months due to suspicions of fraud and financial mismanagement at the Commission. Nobody has been brought to book for these fraud charges. Others have argued that this was done deliberately to stop local government elections (See: Nation Newspaper 2011).

A number of reasons might have contributed to this postponement since 2005. Key informant interviews with senior local government official and donor agencies suggested that elections were initially postponed in 2005 because the DPP was a minority government.[115] At that time the president had resigned from the party that

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[115] Interviews: DFID official 2, 15 October 2011; Irish Aid, 5 October 2010; and Senior official- Ministry of Local Government, 6 October 2010.

ushered him into power, the UDF. Only about 30 MPs followed him to the new party that he formed, the DPP. During this period his government faced huge resistance in passing bills within the predominantly opposition legislature. Given the large opposition majority in the national legislature at that time it is possible that the president and his new party feared that holding the elections would have brought in opposition majority in local councils. This would have been a breeding ground for discontent and control of local councils. The DPP got absolute majority in parliament[116] in the 2009 parliamentary elections winning 120 out of 193 seats.

Cammack (2011) has argued that elections did not take place under the wa Mutharika administration because ruling elites doubted their popularity. From 2010 the performance of the then President wa Mutharika was increasingly being questioned by donor agencies and NGOs in the country. In 2011, the British High Commissioner, Fergus Cochrane-Dyet, was declared persona non grata, and was forced to leave the country after a wikileaks article mentioned that the High Commissioner had reported to his government that the Malawian president was becoming autocratic (See: The Guardian 2011). NGOs also questioned the failure by the wa Mutharika administration to hold local government elections. In 2011, the US Government through the Millennium Challenge Corporation (MCC) withheld over $350 million in aid due to what the US government claimed was poor governance record. The criticism from donors as well from some sectors of the Malawian society may have created doubts about the popularity of the president and the ruling party. One key informant from an opposition party claimed that:

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[116] The DPP won majority, largely drawing on sympathy from voters who saw the opposition parties as a stumbling block due to failure in passing of bills and national budgets.

'The President is afraid of elections because the DPP are afraid that they have lost the confidence of the electorate..'

A press statement released by the Public Affairs Committee (PAC) a membership group of faith-based organisations in Malawi claimed that:

'PAC has long held the position that delay by government to hold Local Government Elections is against constitutional requirements as well as the democratic principle requiring regular elections. We see the continued absence of elected councillors as a sign of bad governance. We expect the government to stop creating excuses and promptly ensure that local elections are conducted in 2010 as required'.

Quoted in Nyasa Times 2009

The failure to hold local government elections in Malawi was one of the manifestations of the influence that wa Mutharika had in the roll out of decentralisation in Malawi. Wa Mutharika may have feared opening up spaces for the opposition to thrive and build bases of support. Between 2009 and 2011, the DPP government implemented a number of measures to centralise power in Malawi. Partly this was done through co-opting local elites who largely depend on the state for access to privileges, status and wealth. For instance, chiefs were used by the DPP regime to support various agendas of the then president, and the ruling party.

Centralisation of power by ruling elites under wa Mutharika and his party allowed them to maintain monopoly over state resources. Cammack (2011: 1) has argued that for such ruling elites losing an election is the same as returning to hardships for most politicians. The use of state resources allowed them to reward their supporters, and therefore to win votes and maintain their support base. This might be one of the major

reasons why President wa Mutharika and the ruling party used their majority in parliament to effect a number of amendments to the original act with the aim of consolidating powers at the local level.

Previously the constitution provided for local government elections to be conducted a year after holding presidential and parliamentary elections. Constitutional amendment number two of 2009, section 147, changed this. With the amendment, the president was given powers to decide the date for local government elections. Since the passing of this amendment, the then President wa Mutharika was able to effectively use his new 'powers' to postpone and finally cancel local government elections. Hence wa Mutharika run the show as he deems fit with regard to holding of the local government elections. Cammack (2007a: 5) has argued that the actions of Mutharika reflected those of 'big man' trying to gain control of his own people. He was intolerant of criticism, and he relied heavily on patronage networks (Cammack 2007a:5). The new administration led by Joyce Banda passed the tripartite bill in 2012, which would see local government elections happening alongside presidential and parliamentary elections in 2014. But some of the contradictions such as powers of the president to decide the date for local government elections have not yet been amended.

Another amendment was also made to the Local Government Act in 2010 by the wa Mutharika administration to make local bureaucrats accountable to politicians. Amendment number six on sub section two of the Local Government Act passed in April 2010, transferred the powers to appoint the District Commissioner to the Minister of Local Government. Previously the Act had stipulated that the powers to appoint and transfer lay with the more independent Local Government Service Commission (LASCOM). The implications of this change are described in the next

section, which will examine the relationship between central and local actors. But suffice to say here that by making the top bureaucrat accountable to the minister, the changes effectively brought the DC under the control of the ruling party. Since ministers serve the interests of the president it can be argued that these changes effectively increased the powers of the president to influence what happens at the local arena.

During the wa Mutharika administration ruling elites also used their majority in parliament to increase the influence of the Members of Parliament (MPs) at local level. Amendment three of 2010 of the Local Government Act gave MPs the right to vote in local councils. Previously MPs were ex-officio members with no voting powers, and they watched from the sidelines as councillors voted on council matters. Since Malawi has not had elections since 2005 it is not yet known how MPs will exercise these powers. Another related amendment, number one of the Electoral commission Act (2010) reduced the number of wards to two per constituency. This has reduced the ratio of councillors to MPs in the district. The implication is that it can effectively dilute the role of councillors who might now be viewed as deputy MPs rather than powerful elites with control over the local arena. It can be argued here that these amendments are aimed at consolidating the role of MPs at the local level at the expense of councillors.

Another change effected by the wa Mutharika administration, amendment four (c) of 2010 of the Local Government Act, took away the policy-making powers of councils. Instead councils were directed to implement national plans and priorities, and not to formulate their own local policies. This amendment suggests that political actors, particularly the president and ruling party were not only protecting local spaces from opposition and other new elites, but were also centralising the development process.

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In this regard it can be argued that the other interest for these ruling elites was to see decentralisation deliver national development goals and priorities rather than as a mechanism to address locally determined priorities within a national policy framework. This could mean that councils are viewed as implementation mechanisms rather than decision-making bodies. This is a contradiction to the spirit of devolution or democratic decentralisation, and is in fact similar to how deconcentration was pursued in the period up to 1993 in Malawi.

To establish the new role of councils as implementing mechanisms amendment two (c), 2010 of the Local Government Act changed the name of local governments from 'local authorities' to 'local councils'. The rationale presented for the change is that the name 'authorities' assumed that these entities were independent, while the term 'councils' is more relevant as these mechanisms should serve national interests. From the perspective of ruling elites, the 'new councils' might actually serve the central interests of both politicians and bureaucrats better. To put it in a narrative, the central political actors still need popular support to win votes. In a poor country like Malawi these votes are usually in return for some public and private goods. Therefore the centre holds on to some big development projects, which are then implemented through local mechanisms. Take for example, the farm input subsidy programme, which is a multi-million dollar centrally driven project, which provides subsidised seeds and fertilizer to vulnerable households. The selection of households is at district and community level with chiefs playing a key role in selection of beneficiaries. The centre has used this project to reward supporters, or in the case of chiefs to favor friends and relatives.[117] The Public Expenditure Tracking Survey in Agriculture (2009) revealed that at least 52% of the coupons for the farm subsidy programme did

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[117] Interview, Kalondolondo (Community Based Monitoring project) staff, 13 January 2011; also see: MDPC (2009).

not go through the normal channels. These were distributed through ruling party MPs and other ruling party politicians. Control of these projects is necessary to provide public goods in exchange for votes. At community level, it was mentioned in some FGDs with community members that chiefs identify their relatives and friends as beneficiaries of the subsidy programme.[118]

The actions of ruling elites in Malawi are not unique. In many developing countries experimenting with reforms there is resistance by politicians and bureaucrats (De Sardan 2011: 26, Ahmad et al 2005: 24, Olowu 1990, Wunsch 2001). Jutting et al (2004) has argued that bad performers such as Uganda, Nepal and Mozambique were characterised by considerable resistance from central leadership. This resistance was due to the desire to maintain control over local governments and can take various forms such as; control over local decisions, inadequate support to local governments, and unclear distribution of resources (Jutting et al 2004: 19). And even in situations where reforms are carried out the intentions might be to expand the reach of ruling party to the local arena and 'recruit new cadres' (De Sardan 2011). Generally, ruling elites will resist decentralisation if it directly threatens their ability to access such rents (Ahmad et al 2005: 24, Olowu 1990, Crook 2003, O'Neil 2007). This explains why in some countries (including Malawi as shown in this case study) key changes are made to existing legislation and regulation to strengthen the position of the centre (Wunsch 2001: 277). Wunsch (2001) refers to this process as 're-centralisation' or recapturing of power by the centre. There is also a case to be made that the push from donors can result in some steps being taken. But with huge political disincentives these steps will remain incomplete. For example in Benin reforms have remained

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[118] Focus Group Discussions; FGD, Women's Group, T/A Pemba, 24 February 2011; Women's Group, T/A Kalonga, 24 February 2011; and VDC, T/A Pemba, 16 April 2011.

incomplete since 1993, and elections were only planned in 2002 following pressure from bilateral donors, in particular Germany and France (Bierschenk and de Sardan 2003).

The capture or resistance to reforms by ruling elites particularly under the wa Mutharika administration set them up for a collision course with some multilateral and bilateral agencies, such as UNDP/ UNCDF, USAID, DFID, GIZ and Norwegian Government that were pushing for political aspects of reforms to be rolled out. As has already been pointed out, the German government withheld its support to the LDF due to failure to hold local government elections. US Government through the Millennium Challenge Corporation (MCC) and the UK's DFID also withheld some aid citing poor governance by the wa Mutharika regime on several issues including decentralisation. In response the rhetoric by the ruling elites also changed- and wa Mutharika promised to hold tri-partite elections in 2014. This rhetoric might have been an attempt to buy some time as donors waited impatiently for the 2014 elections. On the other hand, the donors were stuck with few democratic institutions such as elections and were not paying attention to the potentially damaging effects of the policy reversals particularly with regard to accountability of local bureaucrats to the centre, the earmarking of funds, and the influence of chiefs at the local level.

Under the wa Mutharika administration the varying focus on political versus technical aspects of governance also allowed the government to continue accessing some resources, particularly from agencies such as the World Bank and Africa Development Bank (AFDB). However the reality was that donor aid was shrinking as a result of withholding funds by some agencies. As a strategy to find more resources the wa Mutharika administration begun looking towards the East, to China to access new grants and loans. The Chinese Ambassador in Malawi has made his

government's position clear that they do not meddle in the host country's politics (See: Kakande 2012). [119] This seemed to work well with the Government of Malawi under the wa Mutharika administration. Between 2009 and 2011 the government signed several grants and loans with China for infrastructural projects. These grants and loans from China were heavily earmarked for specific infrastructural projects such as construction of roads, hotel, national stadium and a university. However, grants and loans from China are still far from matching the resources coming from other donors. This means that the government will continue to play its cards well to project an image of being reformist while also capitalising on the different approaches to governance by donors. The wa Mutharika government also started looking up to other countries such as Nigeria to solve some of the economic problems, for example the fuel crisis, which were happening partly due to the aid freeze by some donors.

As it has already been argued not all donors froze their aid to Malawi during the wa Mutharika administration. And even for those who did, such as Germany and DFID it was only part of resource envelope that was frozen. For instance, in the case of DFID despite the general budget support suspension more aid continued to flow in through the sector budget support. On one hand, this meant government had less 'general money' that it can allocate as it sees fit. On the other side, government still had funds to implement sectoral priorities in health, education and agriculture where donors were still providing aid. The total amount of money withheld by DFID in 2010 was 20 million pounds of general budget support. The total UK aid for Malawi for that year was expected to top 90 million pounds with this general budget support.

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[119] In interviews with journalists in 2012 the Chinese Ambassador blamed other countries for the domestic problems such as riots that Malawi was facing. China has taken a position of non-interference in Malawi and other countries where China provides aid and loans.

However, what the UK government did was to reallocate this 20 million pounds to sectoral budget support as well as funding to NGOs. In the end the UK government still spent 90 million pounds within Malawi, with a large proportion of this going through the same wa Mutharika government- in sectoral budget support to health, education and agriculture.[120]

So while donors might perceive their withholding of aid as damaging and an adequate incentive for Malawi to pursue reforms, the true picture is that even amongst donors the position is inconsistent allowing the Malawi government to continue accessing millions of dollars through sectoral budget support. Perhaps the only negative effect that the ruling elites might have experienced under wa Mutharika regime is that they had less general budget support money to utilise as they saw fit. With respect to the Local Development Fund, when the German Government withheld aid, World Bank and the African Development Bank continued to put in a lot more funds. One can argue that wa Mutharika and the ruling elites were also thriving on these inconsistencies, in addition to looking at other sources of funding such as China.

6.2.3   Central Bureaucrats: Clinging on

The donors and political actors are not the only ones with interests in decentralisation. The bureaucrats at central level also have vested interests to stall reforms. These bureaucrats are mostly civil servants at the sectoral ministries headquarters in Lilongwe. It has already been shown in the previous chapter that only few ministries have devolved their functions and personnel to the districts. Even those that have devolved, they have not matched this with devolution of resources. This was clearly evident in Salima where central bureaucrats had control over staff at district level.

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[120] Interview, DFID official, 15 October 2011.

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This is not a unique case to Salima. The sectoral development budgets and personnel budgets remain centrally controlled in all districts in Malawi. One key informant from the Ministry of Development Planning and Cooperation argued that councils were being set up to fail so that these officials can say 'we told you so'.[121] The central ministries are reluctant to transfer resources, because doing so would erode their powers and relevance. Therefore either willingly or unwillingly bureaucrats are allies of ruling party elites who are reluctant to transfer political powers to the local level. It is not surprising that the big three ministries, education, health and agriculture have still not devolved personnel and development budgets to the local councils.

Studies done by Sarker (2006) in Bangladesh and Ndegwa and Levy (2004) in Senegal have presented similar findings. The studies showed that the central bureaucracy was reluctant to transfer or share powers and resources with government elected offices. This was more evident in the fact that staff in local governments were still representing their respective central government departments. In Uganda, the main resistance to decentralisation has come from administrative structures of line ministries (Steiner 2006: 9). Smoke (2003) has suggested that this resistance is because the central agencies are losing powers and resources. These interests combined with interests of ruling party elites make it difficult to implement reforms in a way that meaningfully transfers powers and resources to the local level. Manor (1999: 61) has argued that high-level bureaucrats are often allies to politicians in resisting the transfer of power to decentralised bodies.

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[121] Interview, Ministry of Development Planning and Cooperation (MDPC) staff, 2 March 2011.

6.2.4   Summary of key actors and interests at national level

This analysis shows that there are multiple actors at national level with varied interests in decentralisation reforms in Malawi. Interests of ruling elites make it impossible to translate the rhetoric of reforms into reality. It shows that President wa Mutharika and his ruling party took hold of reforms and begun changing the landscape with several amendments in order to centralise power and consolidate their position over the local arena.

Therefore, it can be argued that reforms were deeply characterised by elements of neopatrimonialism with ruling elites seeking to protect their political space and consolidate their access to resources. Patronage and clientelism have influenced decentralisation as well as other public policies in Malawi. This can be seen from two perspectives discussed above. First, there have been political changes to expand powers of the president and MPs at local levels and to limit the authority of local councils. Second, the centre is controlling both the LDF and other big central projects. The councils are increasingly being viewed as mechanisms for implementation of national development priorities rather than semi-autonomous entities to develop and carry out locally formulated priorities within a national framework.

As has been shown in the earlier sections of this chapter, so far the push by donors has not led to any significant progress in implementation of political reforms particularly the holding of local government elections. Donors in Malawi have had varied interests in decentralisation and this had led to lack of coherence in pushing through reforms. The ruling elites under the wa Mutharika regime benefitted from this incoherence as resources continued to flow even though a few donors had suspended

some aid. Indirectly this lack of better coordination seems to entrench the neopatrimonial state in Malawi.

There is some progress in administrative decentralisation particularly with respect to delivering centrally formulated projects such as LDF. This might be due to the fact that external funding for LDF provide resources which ruling elites need. On the other hand, other donors advocating for elections have been less successful maybe because they are directly challenging the interests of central actors for self-preservation. This is leading to a situation that Addison (2003) has referred to as 'partial-equilibrium', which means that some reforms (and not others) will be implemented.

6.3 Relationship between central and local actors, and impact on reforms

The key finding from this study that ruling party elites and bureaucrats at the centre are influencing the reforms may explain the nature of relationships between these central actors and certain groups of local elites. On the surface the finding reveals that there is strong centralisation of reforms. A closer look shows that in a bid to strengthen their control over the local councils ruling elites are co-opting local elites through an exchange of privilege and status. In return for the privileges and status local elite groups act in ways that serve to strengthen central interests. The co-opting of certain groups of established local elites is at the expense of any new groups of elites at the local level that may be interested to contest for the spaces provided at local level. These established elites who are receiving powers are chiefs, ruling party MPs and the DC.

6.3.1 Traditional Authorities, co-option and local capture of reforms

As pointed out in chapter five, chiefs are one of the key elite groups that have captured reforms. The existence of parallel state means that some of these chiefs are well connected to the President. Political leaders need chiefs to buy support at the local level. Due to formal and informal roles excised by chiefs they have tremendous powers at local level. In many areas chiefs have captured decentralised development structures- Area and Village Development Committees. Even with limited mandate and capacities control of these committees offer 'dangling carrots' in the form of participation in implementation of development projects. A chief who controls these committees can thus be assured of direct involvement in key development activities, and this includes selection of beneficiaries for various development projects. One of the findings is that most of the chiefs are male. In Salima, all the senior chiefs and all but one Traditional Authorities were male. All the village chiefs interviewed in this study were also male. It was often an exception to find a female chief. This is the case in all districts in Malawi. This is one area that needs to be explored further in terms of the extent to which the presence of male chiefs is affecting decisions made in the district. All chiefs have 'advisors' and this is where women could sometimes be found. However as chapter five showed such women were included as a strategy to deal with disputes brought to the chief by women. The absence of women amongst the traditional elites (chiefs) which when combined with absence of local representatives (especially women) mean that there is limited space for women to engage in decision making in the district.

The decentralisation policy articulates the role of chiefs in development committees at various levels from Village Headman to Traditional Authority. The fact that the development committees are created according to levels of chieftaincy rather than

linked to wards or constituencies suggest the huge influence that chiefs have at local level. The findings in chapter five show that all chiefs, whether in opposition or ruling party constituencies have powers over community level decentralised structures. In fact chiefs were capturing these committees either by directly chairing the structures or through putting in their relatives and friends.[122] The dominant groups of chiefs are Traditional Authorities (TAs) and Group Village Headmen (GVH). This is because the TAs control the Area Development Committees (ADCs) in their areas, while the GVHs oversee the Village Development Committees (VDCs).

A case study conducted in 48 villages in Indonesia in the 1970s showed that chiefs were influential in choosing members of the local councils and downward accountability to villagers was weak (Ahmad et al 2005: 4). These members were thus largely accountable to chiefs rather than to the community members. De Sardan (2011: 24) has pointed out that:

> 'Chiefs systematically select collaborators among their relatives and dependents and these are rewarded by him and only beholden to him'

The chiefs' capture of local spaces in Malawi is also manifest in the ways that they influence the District Commissioner, the top most bureaucrat at district level, to allocate certain development projects under LDF to certain Traditional Authorities. However, since only those chiefs aligned to ruling party seem to have more dominance, it can be argued that influential chiefs at local level draw their power from the connections with these ruling elites. The privileges and status are also not constant, and can change with transitions between governments. For example, as was shown in chapter five, Senior Chief Ndindi in Salima district was more powerful

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[122] This has been discussed in chapter five based on findings from the study.

under UDF, but less influential under the DDP regime. On the other hand, Kalonga was less influential under the UDF Government, but because he was in 'bed' with the then ruling party, DPP, he had become quite influential.[123] It should also be noted here that all chiefs in Salima district are considered to be in one political camp or another. The less influential ones are all in opposition areas.

To make sure that the ruling elites have control over chiefs, the president has been given powers, within the Traditional Authorities Act, to appoint, promote or remove a chief. As pointed out in in chapter five, both the UDF and DPP governments have used these powers to promote or appoint chiefs in Salima district, as well as in other districts in Malawi. The new Joyce Banda administration has also made a number of promotions of its own. Control over chiefs is also exercised through the District Commissioner who is mandated to supervise the activities of chiefs at district level on behalf of the president. However this relationship between the DC and chiefs is complex. On one hand, chiefs report to the DC on their activities, and the DC in turn reports to the Ministry of Local Government. On the other hand, powerful chiefs such as Kalonga in Salima district have direct access to ruling party elites and this makes them more influential at district level. Such chiefs are feared even by the DC who is a bureaucrat interested to develop his/her career further.[124]

During his tenure President wa Mutharika increased the allowances (honorarium) for chiefs by 900%. This is an example of 'rents' shared with elites at the local level. The monthly honorarium is paid directly by central government. This was a substantial increase and it may force chiefs to look favourably on the interests of the ruling party. In addition, the president has powers to install, promote or fire chiefs, which means

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[123] Interview, former NICE Coordinator, 1 August 2010.
[124] Interview, Senior official, Ministry of Local Government, 6 October 2010.

they [chiefs] have to consider their interests carefully should they want to be promoted or to stay in power. This may force chiefs, particularly ambitious ones such as Kalonga in Salima, to align themselves with ruling party elites in exchange for privileges and status at local level.

The co-opting of chiefs is a win-win situation between central elites and these local chiefs themselves. Centrally, the chiefs can deliver support through mobilising their subjects to vote for the ruling party, as seen from the issue of presidential candidate for the then ruling party, DPP. During the wa Mutharika administration chiefs were constantly paraded to show support for the former president's brother even though the party had not yet held a convention to select a presidential candidate for the 2014 presidential elections. On the part of chiefs aligning themselves with ruling party means that they can access both local and centrally formulated development projects. With these projects in their areas, chiefs acquire even more popularity and support from their subjects. This is why in areas where chiefs were more influential FGDs consistently revealed that people could directly connect the presence of various development projects in their areas with the fact that their MPs were from the ruling party and their chiefs were also aligned with the ruling party.

Similar to the situation in Malawi, in various developing countries implementing decentralisation in Africa chiefs avoid any form of formal accountability. The only major threat to their position is the dismissal by central authorities if they displease them too much (de Sardan 2011: 24). Therefore chiefs are likely to behave in ways that please central actors. As a reward for supporting ruling elites chiefs are being given various responsibilities at the local level. For example, de Sardan (2011) has shown that in West Africa chiefs are being delegated certain powers by the modern

state, for example in the areas of justice, arbitration and financial regulation (de Sardan 2011). De Sardan (2011: 24) has also suggested that there are some common characteristics in terms of how chiefs behave and these include patrimonialism, predation, patronage, absence of real accountability to the people, confusion of powers, and defense of an aristocratic and patriarchal ideology. In Sierra Leone, chiefs are associated with various forms of corruption, bias and injustices (Casey 2009: 127).

6.3.2 Members of Parliament: Accumulation of power at the local level

As already pointed out in earlier sections of this chapter, MPs have both central and local roles. As central actors ruling party MPs under wa Mutharika used their powers in the legislature to push through changes that transferred more powers to the president and to themselves. Some of these changes that give them more powers at the local level have been described in detail earlier; for example granting them voting rights in local councils as well as reducing the number of councillors per constituency.

MPs are also pushing for changes in the execution of the Constituency Development Fund (CDF). There is a proposal to increase the CDF allocation per constituency from K2 million to K5 million. This represents a 250% increase. As seen from chapter five the constituency development fund (CDF) provides access to resources that can be used to reward supporters or for personal interests. This is the case in both opposition or ruling party controlled areas. The evidence presented in the previous chapter on abuse and misuse of constituency development fund in Salima is similar to the picture from other districts in Malawi where the funds are manipulated by MPs and projects designed and implemented without following the necessary steps (NAO 2010). In the

presentation of findings from a study of CDF in sixteen constituencies in Central Malawi, a representative of Catholic Commission for Justice and Peace claimed that the funds were not benefitting ordinary people:

'If I were to rate the implementation of the fund in all constituencies, I would give them (MPs) 28 out of 100 which is a fail with distinction. The best way would be to ask for suspension of disbursement until chiefs, MPs, and people themselves set up a structure to handle money. MPs have politicised and personalised everything. They are using the funds to reward their supporters'

Peter Chinoko, Catholic Commission for Justice and Peace (CCJP) in,

Nation Reporter (2008a)

Another study done by CCJP in 2008 in eleven constituencies in Nsanje and Chikhwawa in Southern Malawi showed that only one MP had put in place mechanisms to consult widely with Area and Village Development Committees on priorities to be funded (Nation Reporter 2008b). For the rest of the MPs, community level decentralised structures were bypassed.

Government officials have also acknowledged the influence of MPs over CDF resources. The former Minister of Local Government, Dr. George Chaponda indicated that:

Some Members of Parliament put undue influence in the operation of Constituency Development Fund (CDF) managed by local assemblies thereby leading to a loss of funds through white elephant projects or the money remaining idle for the whole financial year. And in some cases, some MPs overrule the recommendations of IPC [Internal Procurement Committee] of the assembly in the choice of suppliers of materials. There is also general disregard of procurement guidelines by some MPs leading to loss of funds through payments of white elephants.

One Member of Parliament from the then ruling party, DPP claimed that there are valid reasons why they sometimes disregarded the standard procurement procedures:

> 'That is very true in some cases but there are reasons for disregarding procurement procedures… for example where there are undue delays by the assemblies to procure materials. Therefore an MP as an individual is bound to get frustrated and would do anything to get the needed materials to the constituency. There are also some officials in the assemblies who are aspiring to become MPs and will do anything to frustrate you. Sometimes the quality of the materials sourced by the Assembly is poor and an MP want to identify suppliers….and also some suppliers identified by the Assembly will provide less the amount of goods ordered and paid for.'

Interview, DPP (the then ruling party) MP, Salima district, 8 May 2011.

A study of the constituency development fund in twelve districts in Malawi, which was conducted by the Malawi Economic Justice Network, showed that there was reluctance by MPs and district council officials to use set procedures (MEJN 2009). In this environment of limited transparency and accountability increase in allocations to CDF might in fact provide greater opportunity for MPs to abuse or misuse funds, and use them to woe votes from their supporters. This is at the expense of general resource funding increases that councils require for the delivery of the district development plans.

Despite its challenges, the CDF might continue to exist probably because it is part of the patron-clientelist relationship between ruling elites at the centre and MPs. CDF resources are useful for MPs to reward their communities, and in so doing 'buy' votes during the next election. MPs have control over this Fund, and it is nearly impossible

for the president to influence changes over this Fund. So far all the presidents since 1994 have shied away from the confrontation with MPs over the CDF largely because doing so might lead to less support for the presidents. MPs, across the board, from both opposition and ruling parties, have a big stake in the continued existence of this CDF. For the opposition it might be the only way to access vital resources to provide tangible goods for their supporters.

The CDF in Malawi is funded wholly by the Government of Malawi. So far donors have stayed away from this fund, choosing instead to work within the framework of the Local Development Fund. The continued existence of the CDF does undermine decentralisation. This is because MPs control how funds are used, and their priorities might not be in line with those contained in the district development plan. So again, the painstaking district development planning process is rendered useless. The effectiveness of the CDF also depends on the approach (and integrity) of individual MP, and some MPs may choose to abuse/ misuse the resources as it has been shown in this thesis.

At district level MPs are bedfellows with chiefs. MPs need chiefs to mobilise support for votes. On the other hand chiefs need good working relationship with their MPs so that they can work together particularly to influence local bureaucrats to make decisions that favour their areas. It is in the interest of both MPs and chiefs to see development projects come to their areas. Evidence from the previous chapter has consistently showed that MPs and chiefs from same area often spoke with the same voice in the council meetings. Chiefs and MPs also worked together to exercise informal influence over the DC. However, a number of chiefs and community members also accused MPs of only wanting chiefs during campaigns.

'Our MP was only visible here during the campaign period…Since he was elected he does not come anymore. It seems that he only wanted votes….'

Interview, Group Village Headman (GVH), T/A Kambwiri, 14 December 2010; and GVH, T/A Pemba, 7 May 2011.

In ruling party constituencies in Salima several chiefs mentioned that their close links with the MPs were crucial to attract development projects to their areas. It could be the case that these projects would have come anyway given that the influence from the ruling party. However, it suggested that chiefs and MPs were allies with vested interests to attract projects to their areas.

Generally ruling party MPs seem to be more influential than the rest. They have a lot of informal influence over decisions at district level about location of development projects. For example the previous chapter has shown that areas under ruling party were consistently favored in terms of decisions about where development projects such as teachers' houses should be located. As national actors, ruling party MPs also had access to centrally controlled development projects. The results from the Agriculture Public Expenditure Tracking Survey (PETS) conducted in 2009 suggests that when it comes to central development projects such as the farm input subsidy programme, MPs and chiefs aligned to ruling party had access to more coupons that they could share with their supporters. In FGDs, various groups of people claimed that MPs and chiefs targeted their relatives, friends and supporters in the distribution of these coupons.

As the 'big man/ woman' the powers of the president reaches far and wide, and s/he has tremendous influence over the ruling party MPs. S/he can sanction MPs considered to be critical of his views. For example, between 2009 and 2011, several MPs were fired from the then ruling party, DPP for criticising the party's agenda. In

Salima district, one MP, Uladi Mussa was removed from the party after claims that he was becoming more powerful and independent.[125] Uladi Mussa was then Vice President of the ruling party. In 2011 several MPs within the then ruling party, DPP formed a coalition to fight the president from within. In retaliation, it is claimed that the then ruling party blocked off access to government contracts for most of these MPs who run various businesses (Nyasa Times 2012a). As a result of this the so-called 'Hope Alliance' collapsed with several MPs coming forward to say that they had 'repented' and were ready to support President wa Mutharika.

The backing of the president is the source of informal powers by MPs to influence various decisions in the councils. MPs also influence decisions that enable them to accumulate private wealth using their access to government contracts. One official at district level[126] claimed that the MPs put pressure on secretariat staff at district level to award contracts to their firms or those belonging to their friends and relatives.

6.3.3   Local Bureaucrats and links to the centre

The position of District Commissioner (DC) is a crucial one, and hence the DC and his/her staff are one of key elite groups at the local level who are receiving powers, at least on paper. The findings in this study have revealed that the situation is much more complex in practice with central actors- politicians and bureaucrats, seeking to control the local arena. The amendments to the Local Government Act discussed in earlier sections of this chapter have resulted in the transfer of appointing powers of DCs to the Minister of Local Government. This has effectively put the DC under the control of politicians. DCs can be transferred to another district or to the central local government ministry at any time and without notice.

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[125] Interview, Senior official 2, Ministry of Local Government, 1 July 2011.
[126] Interview, Senior official, Salima District Council Secretariat, 8 September 2010.

To protect and grow their careers, DCs have to be strategic in how they respond to pressures from various elites, particularly ruling party elites. The control of local bureaucrats by central elites is what Crawford (2009) has characterised as 'the whole rhetoric of decentralisation', which he argues is ultimately about expanding central control over the local arena. Similar to the situation in Malawi, in Ghana the District Chief Executive is appointed by the president.

As a top most civil servant at district level the DC has some powers in rallying all sectors to support his/her interests. Findings from this study have shown that other sector heads in district level meetings rarely question the decisions and recommendations of DC. However, the powers of the DC seem to be limited when it comes to oversight over sectoral activities. Largely, this is because central bureaucrats are eroding powers of local civil servants through slow devolution. As shown in the case study the three big ministries, health, education and agriculture, have not transferred their development budgets to the district. Human resource management and personnel budgets have also not been devolved fully. This means that various sector heads at district level still report vertically to their central ministries. This is also the case when it comes to transfers and allocation of staff from sectors.

This trend is similar to the one in Ghana where devolution has occurred on paper but control over service delivery in key sectors remains in the hands of deconcentrated sector departments with lines of accountability going upwards to their respective central ministries (Crawford 2009: 74). In Pakistan where devolution occurred in education teachers remain employees of provincial government (Ahmad et al 2005: 4). In Sierra Leone, the central government still pays salaries for local bureaucrats in devolved sectors (Kargbo 2009: 20). As Ahmad et al (2005: 11) has argued, this can

force local civil servants to act in ways that respond to incentives from the central government.

The District Commissioner and the rest of the local bureaucrats are also under strong influence from the centre largely because the councils depend on central transfers, which come with earmarked priorities. As the case study in chapter five has shown, this limits the ability of the council to implement programmes according to the district development plans. There are similar examples of overreliance on central transfers coming from Sierra Leone (Kargbo 2009), Nigeria, Swaziland, Uganda, Botswana, Zimbabwe and Tanzania (Wunsch 2001) According to Wunsch (2001: 284), local governments cannot rely on their locally generated revenue as in most cases this only raise 'pennies'. One case study in Ghana showed that between 1999 and 2000 locally generated revenue was 12% and 13% respectively of the total revenue (Inanga and Osei-Wusu 2004: 85). Over-dependence of local councils on central transfers can undermine accountability of local governments (Ahmad et al 2005: 10). In Ghana, Kenya, and Uganda the central government can exercise arbitrary oversight on local government budgets and this has created problems of continued central control over local priorities and resources (Wunsch 2001: 279). This means that in practice central ministries select their priorities and determine what should be done at the local level through top-down processes. So in reality the efforts from local councils are always for 'nothing' (Wunsch 2001: 278).

It is not only politicians and bureaucrats at the centre who have imposed their interests on decentralisation at district level. The earmarking of funds by donors in the LDF as shown in the earlier sections of this chapter has limited the extent to which local actors can act in the interests of the local arena. With limited local revenue,

earmarking of funds renders the extensive and costly district development planning process useless.

6.3.4   NGOs: 'Educated local elites' and service delivery

Ribot (2001: 23) has argued that NGOs have a key role in supplementing services provided by the government, and also in creating awareness about people's rights with respect to provision of better services by local governments. The findings in chapter five have shown that in light of overreliance of local governments on earmarked central transfers NGOs represent a viable complementary source of development funds. Because they are considered an important partner in addressing various local challenges, NGO leaders are key members in both the District Executive Committee (DEC) and the District Consultative Forum (DCF). However, one cannot generalise the influence of all NGOs at district level. In this study, staff members of international and some local NGOs with headquarters in the cities tended to be more educated and elitist. To some extent this might explain why they are well represented in both the DEC and DCF in contrast to community based organisations and small NGOs in the district. Larger NGOs might also easily find a seat in DEC and DCF since they bring development projects to the districts. Key informant interviews with both council staff and NGO representatives suggested that these educated elites were able to question decisions of the council, but with no real influence to change the proposed course of action. NGOs seemed to have influence over the activities of other NGOs in the district.

The NGO elites considered themselves more informed, and were likely to design projects that reflect their own and their donors' interests rather than based on the district development plan. Council officials claimed that the NGOs only came to the

DEC meeting to introduce projects, which had already been designed elsewhere[127]. The only influence the other elites; such as MPs, chiefs and bureaucrats had on NGOs was when it came to location of projects. NGOs at district level were mainly involved in service delivery in the areas of HIV and AIDS, agriculture, education, health and water and sanitation.

At community level NGOs were responsible for implementing their own activities, and this included formation of their own parallel committees. It was not surprising to see some committees being called 'ADRA committees' or 'Actionaid Committees' or 'CARE Village Umbrella Committees' because these were the organisations that formed them. These committees were also prone to capture by chiefs as shown in previous chapter.

De Sardan (2011: 25) describes this formation of 'development committees' by NGOs and development agencies as associational mode of local governance. The result is formation of dozens of management committees in one village, each independent of the other (de Sardan 2011: 25). These structures often disappear with the end of the project. This can create instability at local level. Malawi is not unique, there are few other countries where NGOs created their own structures rather than working through the formal systems. One case study in Ghana showed that NGOs directly contacted communities in implementation of projects and there was little involvement of councils (Schiewer 1995: 302). In a case study of local governance in Arumeru district in Tanzania Kelsall (2004: 54) has shown that NGOs with large developmental presence such as World Vision had not yet made progress in

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127 Interview, Senior official, Salima District Council Secretariat, 8 September 2010; Interview, Senior official 2, Salima District Council Secretariat, 24 January 2011.

empowering the target communities to hold their leaders to account. Another problem is that these structures can be captured by chiefs (de Sardan 2011: 26).

6.4   Revisiting main research questions

This section analyses whether main research questions and preliminary arguments have been satisfied. As outlined in the introductory chapter two main research questions were formulated to examine the extent to which downwardly local actors were receiving powers under the democratic decentralisation in Malawi. These questions are as follows:

(a) How are the social relations of superiority and subordination created, expanded and perpetuated within decentralisation in Malawi.

(b) To what extent do interests of various actors, including central actors and local elites, influence development policy planning and execution within democratic local government in Malawi.

In seeking to answer the first question the thesis has demonstrated that wa Mutharika and his ruling elites created and sustained relationship of superiority and subordination over local actors through several means. The DPP led government increased the powers of the president through the minister of local government to hire, promote, transfer and fire senior bureaucrats at local level. This created greater incentives for senior bureaucrats to serve central interests in return for 'rewards' such as promotions.

The increase in the honorarium for chiefs and the powers of the president to confirm, fire and promote chiefs is also a source of superiority and subordination. This is because chiefs that act contrary to the interests of the ruling elites can face

consequences which include being dethroned. As shown in this thesis, members of parliament particularly from the ruling party serve the interests of the party (led by the president) and in return they have a lot of influence at the local level. These relations of superiority over local elites such as chiefs, MPs and bureaucrats are a deliberate strategy by ruling elites to penetrate the local arena.

The thesis has also shown that interests of ruling elites, local actors, donors and NGOs undermine local development planning. Ruling elites through centralisation of reforms (control over local actors) and earmarking of funds have rendered the extensive development planning system ineffective since most of the priorities at local level reflect central interests. Councils have effectively been reduced to implementation mechanisms. This is contrary to the original objective of decentralisation to promote and enhance local democracy and development in Malawi. Earmarking of funds by donors, and the bypassing of decentralisation structures by donor funded NGOs have also constrained the ability of councils to respond to local needs and to ensure accountability to the local population. Responsiveness is also difficult to attain due to the capture of reforms by local elites—chiefs and MPs with the right connections (to ruling party) who have a lot of informal influence to determine where projects and services are implemented. Given this scenario the local development process is muddled with interests from a variety of actors, and so far there are no indications that plans developed effectively address local priorities. Instead, such plans reflect priorities of the centre. And even if local priorities can make it into the development plans, implementation is limited due to inadequate 'un-earmarked funds'. Local elites (with ruling party connection) seem to have influence over the location of various projects in the district.

6.5   Re-examining the preliminary arguments

A main preliminary argument was presented at the beginning of this study and was based on the literature review on democratic decentralisation. The main preliminary argument and two sub arguments are discussed next.

One of the key arguments about merits of democratic decentralisation is that it brings government closer to the people, which make it easier for local people to influence decisions about services that suit their local needs. In seeking to examine this merit of decentralisation the researcher made the following preliminary argument:

'Although Malawi is undergoing democratic decentralisation the lack of alternative economic and political power means that some of the main actors at local level such as Members of Parliament, chiefs and civil servants remain primary beneficiaries of the state through emoluments, privileges, status and access to resources at local level, and thus are eager to work in ways that serve the state'.

This preliminary argument has been confirmed by the findings in this chapter and also in the previous chapter. It is clear that the links with ruling party provide access to privilege and status for MPs, chiefs and local civil servants. Evidence also consistently showed that in addition to serving central interests these actors particularly those with ties to the ruling party were capturing reforms and influencing allocation of resources and composition of various committees.

One of the sub arguments was that 'both centralisation and self-interests of the local actors are responsible for limiting the extent to which rural societies can influence institutions and priorities of local development under democratic decentralisation'. Results in chapter five and in this chapter show that the reforms are heavily

centralised with central political actors seeking to control the local arena possibly to prevent the opposition from controlling these spaces. Self-interests at the local levels are also predominant with MPs accumulating powers such as voting and manipulating the constituency development funds. Chiefs have also captured various development committees at community level. A constant theme is that elites closely aligned with ruling party are more influential than the rest. Therefore contrary to the rhetoric on democratic decentralisation reforms are heavily centralised with some local elites capturing reforms.

In seeking to answer what sort of conditions are necessary for successful reforms we need to look at the example of reforms in Bolivia where Faguet (2003) has argued that decentralisation led to a more responsive government, which redirected investment towards areas of 'greatest need'. For example, there was increased investment in education and water and sanitation to address huge illiteracy rates and sanitation problems. Faguet (2003) has pointed out that this responsiveness was also demonstrated through channeling of resources to poorer districts. The quote below explains what made the reforms successful:

> 'Superior responsiveness of local governments is a product of the structure of local governance in which power and influence are nurtured and ultimately channeled by voting and information…By locating real resources and political power in municipal institutions decentralisation reached out to the rich and poor strata alike offering them the means to improve their lives and a concrete incentive to participate. Decentralisation created local authorities beholden to local voters..'
>
> *Faguet (2003: 34)*

Similar to arguments made by Faguet (2003), Jutting et al (2004) have pointed out that successful examples of decentralisation such as West Bengal, Bolivia and

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Philippines were characterised by strong political commitment by both political leadership and central bureaucracy. Manor (1999) has listed four conditions for successful decentralisation. These conditions are (i) adequate powers transferred, (ii) sufficient financial resources to carry out tasks, (iii) administrative capacity to carry out tasks, and (iv) reliable accountability mechanisms for elected representatives and bureaucrats (Manor 1999: 55). To a large extent these four conditions depend on the willingness of the centre to transfer powers and resources (financial and human).

If these conditions presented by Faguet (2003), Manor (1999) and Jutting et al (2004) explain success of reforms, then their absence would be directly linked to failure of decentralisation. According to Cammack (2007b) distortion or failure to implement reforms must be understood from the neopatrimonial logic of African states where the objective for ruling elites is to retain power and control state resources. Therefore centralisation of reforms ensures that central interests are served at the local level. This quote from Cammack (2007b) summarises the key arguments very well:

> 'In neo-patrimonial or hybrid states real powers and decision making lie outside formal institutions. Decisions are made by big men and their cronies who are linked by informal networks that exist outside state structure and who follow a logic of personal and particularist interest rather than national betterment. Networks reach to the very top 'big man', connecting him with MPs, chiefs, party officials, bureaucrats to the villagers. The interest of such a regime is to gain and retain powers at all cost. This has an impact on how funds are used, what policies are promoted, how appointments are made, and how decisions are taken. In such contexts accountability is upwards and not downwards. Because decentralisation fosters devolution of central power, an 'anathema to big men', changes in laws and regulations have been instituted to ensure that people in key positions are answerable to the executive.'

> *Cammack (2007b: 600-601)*

Cammack's arguments reflect the situation in Malawi. The evidence has shown that wa Mutharika as the president consolidated his position with regard to implementation of political aspects of decentralisation. His powers and control reached out to ruling party MPs, chiefs and local civil servants who were mostly upwardly accountable. At the local level these local actors particularly those with ruling party connections are small 'big men and big women' themselves with informal networks that extends to the villages. As Cammack (2011) has argued that patronage politics reaches down all the way to the village and sees the exchange of rents for votes (Cammack 2011: 3).

There are other various examples of the centre reaching out to consolidate their interests in Kenya, Cote d'Ivoire and Zimbabwe (Crook 2003). As Smoke (2003), Manor (1999), Crook (2003) and Hadiz (2004) have argued in most developing countries the real goal is to consolidate central power through local elites. Due to this neopatrimonialism the formula for success as outlined by Faguet (2003) and Jutting et al (2004) is absent. Hyden (2007: 219) has argued that most African governments operate on the basis of patronage rather than policy, and personal networks tend to be more influential than formal rules.

A second sub argument was that local civil society organisations are weak and divided to influence any downward accountability and voice in key decision making at the local level. This study has mainly focused on the role of NGOs which who are just one of the forms of civil society. According to Jutting et al (2004), local civil society can play a significant role in pushing for transparency and participatory processes by local governments. They can also support service delivery at the local level. In the case study in chapter five NGOs, both local and international, are providing services in several areas including health, agriculture, water and sanitation

and education. This study has also shown that international NGOs and large Malawian NGOs have some influence and do sit in district level development committees. These NGOs are led by young educated elites who are able to question council decisions. However, NGOs have limited influence on the nature of decisions made in the committees. NGOs were also to blame for undermining decentralised structures through creating their own parallel structures at community level, as well as running their own projects with limited reference to district development plans. The council had very little control over the formulation and implementation of the projects, other than influencing location.

In revisiting the preliminary argument above the study has confirmed that reforms are distorted by centralisation and local elite capture. In addition, chapter five in which the case study results were presented has also shown that there are technical difficulties with the district development planning process. Two years since the last district development plan expired Salima district has not been able to develop a new one. This was mostly attributed to lack of capacity. The council receives long lists of needs from various parts of the district, which must be prioritised and costed into a plan. The council secretariat only has one Director of Planning and Development and one M&E Officer. Between them their plates are full with various other activities including planning, implementation and monitoring of centrally formulated projects. This situation is not unique to Malawi. Manor (1999: 113) has argued that planning from below is challenged by weak administrative capacity by the local bureaucracy to develop plans. The earmarking of funds described in this chapter also limits the extent to which planning from below can be effected.

6.6   Conclusion

In summary, decentralisation reforms in Malawi are heavily centralised with the centre seeking to extend its control to the periphery. The centralisation of reforms is part of broader characteristics of the neopatrimonial state in Malawi, which is influencing the implementation of public policy. It has also been argued that reforms represent complex and varied interests at national and local levels. These interests are evident in how different actors seek to influence or capture reforms. These interests can be categorised into those of donors, ruling elites, central bureaucrats, and local elites.

Ruling elites at the centre are exercising more influence over the design of reforms to limit spaces for opposition at the local level, and to strengthen their hold over key actors at the local level. The ruling elites are willing to use powers of privilege and status to reward or sanction local elites depending on the level of support that they receive from these actors. At the local level chiefs, MPs and the DC are being co-opted largely due to the fact that they do not have an alternative source of power, privilege and status. Links to the ruling party provide the privileges and status, and with this comes power to control the local arena, and in so doing access resources.

The extent to which reforms are centralised or captured by local elites is a reflection of prevailing political realities in the country (Ndegwa and Levy 2004: 284). Ndegwa and Levy (2004: 313) have argued that in Malawi reforms have been rolled out with the aim of centralising power and extending it to the periphery without undermining the centre, and especially the ruling party. In this context the centre, which is responsible for designing reforms, is very much seeking to consolidate its position through these reforms. As Crook and Sverrison (2001) have pointed out the politics of

central-local relations explain what interests might gain or lose from a particular set of policy reforms. Clearly, in the Malawi context the president and ruling elites such as MPs, and central bureaucrats are influencing how reforms are rolled out. In addition to central-local relations, the local-local relations are also critical to understand how the local politics play out and who gains or lose from the process. In a case study of decentralisation in Nepal, Meagher (2004) has shown that there can be 'winners' and 'losers' at both national and local level.

It is also clear that district councils in Malawi, such as Salima, have limited ability to respond to local priorities largely due to earmarking of funding by both central government and donors. For instance, the interests of donors such as the World Bank, AFDB and KFW in funding earmarked activities within the Local Development Fund mean that local councils can only influence location of projects and not the nature of priorities to be tackled. On the other hand, NGOs are providing key services at district level to complement the activities of the local governments. However, they are often responsible for forming parallel committees, which bypass the government's decentralised structures. The projects run by NGOs are also rarely decided locally. This means that the district council has very little influence over what projects should be implemented.

What is also evident from this chapter is that there are varying interests from donors with some pursuing technical reforms while others are focusing on political reforms. Such lack of common position by donors is easily exploited by ruling elites who are able to access resources even when some donors are withholding aid as part of their statement on lack of progress on political reforms. The ruling elites are also increasingly looking up to other countries particularly China, which does not have aid conditionalities particularly, related to political reforms. As long as the government is

seen as pursuing certain reforms and speaking the right rhetoric ruling elites might

have access to resources.

Chapter Seven

7. Conclusion

The Malawi decentralisation policy and the Local Government Act of 1998 proposed significant institutional changes in government structures and decision-making processes at district and sub district level. These changes were formulated following the winds of democracy that blew across Malawi and Africa in the early 1990s. These decentralisation reforms are expected to transfer powers to locally accountable actors who can be sanctioned by the local population. At district level these actors are supposed to oversee a process of formulating locally determined development priorities within a national development framework.

The main finding in this thesis is that contrary to the intentions of donors, decentralisation in Malawi presents a complex picture which does not fit the neat synthesis as promoted under this new wave (devolution) that links reforms to pursuit of good governance. Ruling elites at the centre have manipulated reforms to suit their interests. At best, reforms have led to increases in the allocation of funds to local governments (councils). Other improvements include more powers to the councils to develop district development plans. However, the centre continues to direct the priorities at the local level through earmarking of funds and control over bureaucrats and other local elites. There is also the unfortunate reality of limited local revenue, which has made it virtually impossible for the councils to address specific needs in their areas.

7.1 A weakened local government system, with limited powers and resources

So how does local government look at present? Failure to hold elections under wa Mutharika administration means that there are four key actors in the current local government system: chiefs, members of parliament, bureaucrats and NGOs. In terms of oversight and local policy making functions the absence of councillors has led to creation of makeshift District Consultative Forums (DCF) as the highest body in local governments. All the four key actors described above are represented in this DCF. The DCF has limited mandate, and it mainly operates as an ad hoc decision-making structure—mostly focusing on information sharing and providing advice to council bureaucrats. This Forum is unable to exercise oversight over strategic matters or financial issues. The inefficiency of the DCF is clearly evident when it comes to allocation of resources in the district. Chiefs (with right connections) and ruling party MPs have significant informal influence over the DC and senior council staff. As a result priorities are likely to be determined by who had more informal power (usually due to right connections) rather than based on needs.

Generally, resource allocation at district level is prone to patronage from the ruling party MPs and chiefs. This connection to the big man/ woman at the centre is a source of privileges, status and power for these elites. For chiefs the benefits include promotions and access to development projects. The consequences for undermining the ruling party includes being removed from the throne. As this thesis has shown chiefs have both formal power (responsibilities delegated by the state such as minor dispute resolution) and informal influence. This chiefly mode of local governance in Malawi just like elsewhere (see: de Sardan 2011) is characterised by patrimonialism, corruption, and weak downward accountability. Ruling party MPs, an influential

group of local actors locally, can access projects in addition to being looked upon favourably for ministerial appointments and government contracts. This is in return for their loyalty to the president. During wa Mutharika's administration ruling party MPs used their formal powers in parliament to make changes to the design of local government reforms in order to grant more powers to the president (and to the centre). One of the changes transferred powers to the minister of local government, to appoint, transfer, or fire the DC and other senior local bureaucrats. This has opened up reforms to greater political influence from the centre. This situation has been worsened by the absence of councillors, which means that currently the direction of accountability is towards the centre rather than to the masses.

Under the current local government system in Malawi the District Executive Committee (DEC) is expected to play a crucial role to support design, implementation and monitoring of development programmes at district level. Local bureaucrats and NGOs are key actors in the DEC. As shown in this study the DEC was unable to exercise the full breadth of its functions, and it tended to limit itself mostly to information sharing just like the DCF. Discussions were guarded, and government staff were more likely to support the position of the District Commissioner. NGOs had a louder voice in questioning proposals made before the DEC but in the end there was limited formal influence to change proposals made before the committee. The challenge faced by DEC was similar to the DCF since proposals brought before the committee might have been made in line with the interests of powerful actors in the district. Using the example of Salima district, the DEC was also ineffective due to limited technical capacity. Two years after a district development plan expired, the DEC had not been able to facilitate the development of a new one. Members of the committee did not even have access to a single copy of the last district development

plan. The existence of so many INGOs and NGOs should have been reassuring to district councils like Salima since these organisations bring valuable resources to respond to priorities in the district. However, most NGOs come with pre-conceived projects, and this has made it difficult for the DEC to influence the priorities.

The local government system in Malawi is also characterised by sub district structures, Area and Village Development Committees, which have been formed to promote bottom up development planning and to enhance coordination in planning and implementation of development activities. Therefore, these structures are important to promote community participation in the affairs of the local government. In practice many of these committees are not functional, and where they still exist, ADCs and VDCs are prone to capture from chiefs and ruling party elites. These structures also showed limited capacity, and their local plans often reflected long wish lists that were not 'implementable'. The proper functioning of these structures is also undermined by the existence of parallel committees formed by INGOs and NGOs. This has been described by de Sardan (2011) as associational mode of local governance. These parallel structures are often formed on the pretext that they will lead to efficient delivery of projects as opposed to VDCs and ADCs, which are very political and prone to capture. Yet, these 'NGO committees' are not immune from politics and capture at district level. In addition, by staying away from the ADCs and VDCs donor funded INGOs and NGOs subvert decentralisation since the parallel structures are not accountable to the local population. Such actions by donors also divert vital resources from the decentralised structures. It seems even though decentralisation is viewed as a process, donors and NGOs are not willing to wait.

7.2   Hope for local government elections in 2014 under new President, Joyce Banda

During the writing up of this thesis President Bingu wa Mutharika died after a short illness. Following this death the Vice President, Joyce Banda, took over as President in April 2012 as per the constitutional provisions of the country. This ushered in a new ruling party, the Peoples Party (PP) that was formed by Vice President Joyce Banda after she was forced out of the then ruling DPP. This section has been included as a postscript to analyse the extent to which the new president is pursuing decentralisation.

Amongst several of the political reforms pushed through by President Joyce Banda is the passing of tripartite bill. As a result of this Act, the long awaited local government elections are expected to happen alongside presidential and parliamentary elections scheduled for May 2014. This bill attracted the attention of donors who see the new government as more reformist[128] and willing to pursue the agenda towards good governance.

7.2.1   Continuities from the past: Peoples Party and the co-opting opposition MPs and chiefs to work for the ruling party

The new ruling party, Peoples Party (PP), ascended to power with no members of parliament of its own. Englund's 'chameleon politics' continue to be at play even under the Joyce Banda administration with scores of parliamentarians and senior officials from opposition parties switching sides to join the new ruling party, PP. One of the key defectors was the former minister in the wa Mutharika regime, Goodall Gondwe, a seasoned economist that had worked with wa Mutharika between 2004

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[128] The German government had suspended part of the aid to the Local Development Fund due to absence of councillors. This decision has been reversed and the German government has released the funding to the LDF.

and 2012. Before his defection Goodall Gondwe was a senior figure in the DPP. Gondwe was given the position of Minister of Economic Planning and Development in the PP government. Another high profile defector from the opposition parties was Ibrahim Matola, the Deputy Chief Whip for United Democratic Front (UDF) in Parliament. Matola was also given a ministerial position in the PP led government. In April 2012 alone following the swearing in of the new President over 22 MPs from the former ruling DPP switched to PP. One of the defectors, Ken Kandodo, a former Minister of Finance in the DPP government mentioned that:

> 'We want to help the Vice President to govern this nation and rebuild the country. Malawi is facing a lot of challenges and the new president can only deliver if she works together with MPs. The Peoples Party has no MPs in Parliament and we, as representatives of the people, decided to work with the vice president so that our people can benefit from development projects'.

> *Maulidi (2012)*

Salima district where this study was done has also experienced defections with Uladi Mussa, an MP from Salima South constituency and a member of the Maravi Peoples Party (MPP) defecting to the ruling Peoples Party. In his speech Mussa urged all members of his party to disband and support the ruling party as he had done (Maganga 2012). To reward him for his actions Uladi Mussa was given the position of minister responsible for home affairs (Msonkho and Nhlema 2012). According to the key informant in Salima, Uladi Mussa is re-emerging as a powerful figure in influencing decisions of the Salima District Council.

> 'A ruling party is a ruling party, and they are gaining some control. The minister is able to direct for example distribution of maize and other things… However as a new party they are still building their structures on the ground…The DPP MPs who were influential last time are no longer feared here by the Council…'

As shown above ministerial and party positions are some of the rewards to defectors in return for their support towards the president.

There has been growing pressure from civil society organisations and the opposition parties for the speaker to evoke Section 65. Under Section 65 any member of parliament who leaves his/her sponsoring party to join another party is deemed to have crossed the floor. Technically this should lead to a by-election. However the speaker is still required by law to formally declare the constituency vacant and after that by-elections can be planned. The speaker, a member of the now opposition DPP did not apply this section when many members of parliament defected to the DPP during the time that it was a ruling party. Over fourteen months into the reign of Joyce Banda and her Peoples Party the speaker did not evoked Section 65 arguing that there were several court injunctions restraining him. Both UDF and DPP also manipulated Section 65 to the advantage of the ruling party during periods when they were in power. The crossing of the floor by MPs means that constituents have to be prepared to witness political maneuvers, which they did not sanction when they voted for a particular candidate.

Just as her predecessors had done President Joyce Banda has also used chiefs to her advantage. When she came to power she made public declarations that chiefs should not be involved in partisan politics[129]. Instead they should work with government of the day to address development challenges facing local communities. The politicisation of the role of chiefs in the Joyce Banda administration came to the front

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[129] In several public speeches on the state broadcaster the President asked chiefs to focus on development activities and not politics

during the parliamentary by-elections, which were held in Mzimba North on 9 October 2012. During the campaign period Paramount Chief Mbelwa IV[130], one of the most influential chiefs in Malawi, went round communities with the Vice President mobilising support for the ruling party candidate. In one of the community meetings the paramount chief told his subjects to vote for the ruling party candidate as a 'thank you' to the President for selecting a Vice President from the Northern region (Nyasa Times 2012a).

The President has promised to support chiefs in return for their role in assisting the government. For instance she has distributed fertiliser to chiefs for their own personal use. During the installation of Chief Dzoole in Lilongwe the President distributed hundreds of bags of fertilizer to three senior chiefs (Nyasa Times 2012b). In December 2012 the President hosted parties for chiefs to reward them for their contributions.

Between April 2012 and January 2013 the president promoted several chiefs across the country. In August 2012 the President elevated two chiefs in Lilongwe and one chief in Dowa (Nyasa Times 2012b). In December 2012 the President elevated Chief Liwonde to Senior Chief (Nyasa Times 2012c). These are just few examples of the many promotions that the President has awarded to chiefs. This control over the promotion and removal of chiefs remains the underlying cause of the politicisation of their roles.

So while Joyce Banda (with a minority government) has taken a big step to move the country towards local government elections, there many troubling continuities that

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[130] Paramount Chief Mbelwa IV passed away in February 2013 after short illness. His eldest son is expected to take over the chieftaincy

threaten the prospects for decentralisation in Malawi. MPs continue to switch sides in favour of the ruling party, and chiefs openly support the President and her party.

7.3 Decentralisation, good governance and neopatrimonial state in Malawi

This thesis has shown that devolution is far from being achieved in Malawi. In fact legitimate questions can be asked about whether the kind of devolution that donors are interested in will occur in Malawi. As has already been argued, since 2005 there have been no councillors in place and the wa Mutharika administration took several steps to dilute reforms and to ensure that the centre was gaining control over the local arena. Powers of councils to formulate local policies and plans were reduced in order to ensure that they served centrally determined priorities. Centralisation is also evident at administrative level whereby the majority of central ministries are still reluctant to devolve functions, powers and resources. So far there have only been limited political and fiscal reforms to support devolution. Therefore, the Malawi model is predominantly deconcentration with limited devolution. The findings in this thesis confirm what Crawford (2009) found in Ghana where he observed that 'politics of decentralisation' are responsible for a design that is intentionally aimed at strengthening central control and reducing the discretionary powers of local government. Since current decentralisations are designed by the top, the dominance of central interests is inevitable.

The decentralisation policy in Malawi has made explicit links to good governance with reforms expected to deliver on duo objectives of promoting development and enhancing local governance. However, the roll out of decentralisation in Malawi reflects the complexities with the good governance approach by donors. As it has

already been pointed out in chapter two, donors are one of the key players driving this good governance agenda. Yet there is no consensus among donors as to what the term means, or which aspects are important at a minimum for each country to pursue. Nor is there consensus on what the best indicators are to measure governance. As a result each donor policy on good governance reflects their individual understanding of what this term means, and the key elements that constitute the term. In Malawi this has led to the emergence of two distinct camps, with one side, mostly UN and bilateral donors promoting political and technical reforms around decentralisation, while multilateral donors such as World Bank and African Development Bank emphasize technical and fiscal aspects. This lack of common position on reforms by donors has played into the hands of the neopatrimonial state in Malawi. This is because the ruling elites can pursue less threatening aspects of reforms, and this might be adequate to please some donors.

The position of donors is also weakened due to lack of uniformity on what sanctions to apply and when in order to push government to reform. In one example, the German government (through KFW) withheld some funding to the LDF due to the postponement of local government elections, and yet the World Bank and African Development Bank went ahead to disburse millions of dollars to the fund. Another donor, DFID suspended general budget support, but still pumped in millions of pounds in sector budget support. DFID also provided support to the farm input subsidy programme (FISP), which was used extensively by the wa Mutharika and his ruling party to secure loyalty from party supporters and to build new support bases. Thus the actions of donors have enabled the neopatrimonial state to capture vital resources and to use these to service patronage networks and to accumulate personal wealth.

Even amongst those donors that are pushing for political reforms, there is sometimes a simplistic view and shortsightedness, which has seen some of them promoting the local government elections as a solution to problems facing councils. This ignores the complex picture; for example how to deal with capture of reforms by ruling elites and well connected local actors; or how to address the technical and financial problems facing decentralised structures. So the presence of diverse donor agendas on decentralisation means that the state in Malawi is faced with pressure to reform from several fronts. So where does the country begin? Should it start with political or fiscal reforms, or both? What about technical capacities of various structures? And who determines the starting point or at least a set of priorities to be addressed first?

Donors and other players pushing for reforms might be surprised that Malawi, particularly under wa Mutharika was unable to show strong political will towards reform. Scholars such as Smoke (2003) have highlighted the importance of political will as one of the key ingredients for reforms to take place. However as Crawford (2008) has argued this seems 'paradoxical and naïve given the truism that governments rarely give up power'. In fact central governments look for various ways to manipulate reforms. The Malawi state shows strong neopatrimonial characteristics such as personalism and concentration of power in the dominant patron (big man/woman); dominance of informal over formal rules; and use of state resources for political legitimation. Opposition parties remain very weak, and politics of 'personal opportunism' mean that opposition political leaders can switch sides at any time and with little consultation to join the government of the day and the ruling party. There is also the issue of parallel rule with chiefs playing a key role at local and national level. This complicates the transfer of powers to elected representatives.

So far the three presidents in Malawi (wa Mutharika, Muluzi and Kamuzu Banda) managed to maintain support through ensuring concentration of power and access to state resources by the ruling party. Decentralisation is feared because it could actually lead to opening up of spaces for new elites to thrive, and most importantly for opposition parties to gain ground. It is therefore not surprising that Kamuzu Banda chose to appoint councillors from his party (under one party rule); Muluzi only had local government elections when he was assured of a large victory; and wa Mutharika decided to postpone local government elections all together fearing loss of ground to opposition.

The Malawi case has also shown that where reforms are perceived to be a threat to the big man and the ruling party, steps can be taken to change the design or to stall pursuit of devolution. This is similar to arguments made by North et al (2009) that in natural states pursuing processes such as elections does not mean that reforms have been institutionalised. On the contrary ruling elites can manipulate these processes while pretending to be reforming. Since donors do not have access to the inner circles where real decisions are made, it is difficult to influence what final actions are taken in the country in pursuit of reforms. When wa Mutharika used his DPP majority in parliament to amass more powers over reforms there was little that anyone else (even donors) could have done to stall this. With little or no accountability downward, ruling elites are driven by what incentives or disincentives reforms offer, and capture is one way of ensuring that decentralisation is pursued in a manner that serve their interest. In the case of Malawi wa Mutharika was able to give himself more powers to determine when to hold elections, and to establish control over local bureaucrats and ensure councils became mere implementation mechanisms of centrally formulated priorities. These reforms enabled him to concentrate power. The resultant effect has

been the emergence of a model that resembles deconcentration rather than devolution. It can therefore be argued here that devolution was feared particularly by wa Mutharika due to its prospects to open up spaces for the opposition, and to transfer powers to councils.

The quest to monopolize access to state resources for political legitimation greatly influences how and which reforms ruling elites will pursue. All three presidents since independence have personalised state resources, and have accumulated huge personal estates through dubious means. Former President Muluzi's is accused of having abused state resources by depositing billions of kwacha from donors into his personal account. His trial has been going on for over five years at the High Court in Blantyre, Malawi. The late President wa Mutharika's wealth is estimated at over $185 million (Mzungu 2012: 1). Yet when he came to power in 2004 he had declared assets worth only $450,000. The government is currently investigating how wa Mutharika managed to accumulate such wealth in less than eight years. In the case of the new president (Joyce Banda), despite pressure from various quarters in the country she has refused to declare her assets claiming that the law does not require her to do so since she had already declared assets when she was Vice President. Law experts have noted that the asset declaration law is silent on whether a president should declare assets on leaving the office (Mzungu 2012: 2). The speaker is also not mandated by law to provide information on the assets declared by public officials. This means that presidents can easily accumulate vast wealth and finish their terms without declaring how much they are leaving with.

So far presidents in Malawi have also used state resources to service patronage networks, which extend all the way to community level. Local elites such as chiefs and MPs who serve the big man/woman's interests expect 'rewards' (such as projects

or contracts or positions) which they can use at local level to build support. Decentralisation threatens to 'reduce' the amount of resources at the disposal of the president. Most importantly where such resources are transferred to the local arena ruling elites may fear that the opposition can 'capture' them and use these resources to service their own patronage networks, which can lead to opposition parties gaining support.

Since the three men (Kamuzu Banda, Muluzi and wa Mutharika) needed resources for personal gains and to legitimise power and service patronage networks, they tended to focus on centralised development projects. For instance Muluzi (1994-2004) established the targeted input programme (TIP), which distributed free seeds and fertiliser to vulnerable households. With funding from the World Bank Muluzi also set up the Malawi Social Action Fund (MASAF), which supported community projects in various communities in the country. Hence, TIP and MASAF are synonymous with Muluzi. Wa Mutharika set up a multi million dollar farm input subsidy programme (FISP), and the Malawi Rural Development Fund (MARDEF) to provide loans to community members. As it has been shown in this thesis FISP, which is bankrolled, by both donors (such as DFID and Norway) and Government of Malawi was politicised (under wa Mutharika) with ruling party elites and chiefs influencing (informally) distribution of coupons to their supporters, relatives and friends. At national level wa Mutharika also awarded expensive fertilizer distribution contracts to his cronies. In his second term Wa Mutharika established a multi million dollar Youth Enterprise Development Fund (this was a campaign promise in 2009). The fund was also been marred by favouritism towards party loyalists.

Wa Mutharika's successor, Joyce Banda has plans to double the funding for FISP (still bankrolled by some donors) to K60 billion (US$185 million), and has also

promised to create a parallel FISP, which will provide fertilizer (on loan) to farmers. She also set up the Presidential Initiative against Hunger, which among other things has been distributing maize flour in various parts of the country. In the 2013/14 national budget the president was pushing for K2 billion (US$6.15 million) to set up a Cow a Family Initiative. In a state of the nation address during the opening of 2013/14 national budget session at parliament, Joyce Banda also promised to establish Mudzi Transformation Trust[131], which resembles the Local Development Fund and will be involved in funding community development projects (Munthali 2013).

So what effect does these central projects have on reforms? From decentralisation (devolution) literature transfer of adequate resources is a significant requirement for devolution as it allows councils to address priorities at local level. However since presidents and ruling parties need these resources to accumulate private wealth and to legitimise their rule (through servicing patronage networks and rewarding supporters) it is unlikely that councils will see more funding allocated for the general resource fund. Instead, councils might continue to operate as implementation mechanisms, and thus promoting the deconcentration model rather than devolution. The setting up of 'special central projects' by big men/women also show the extent to which both donor and state resources can be captured by the neopatrimonial state. In 2009 donors questioned the government based on results from the public expenditure tracking survey, which showed that at least 52% of coupons to vulnerable households (for the farm input subsidy programme) were distributed outside the formal channels. Donors were also concerned with the awarding of contracts (to supply fertiliser) to companies that had bid higher prices. Yet, there is very little influence that donors have had apart

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[131] Mudzi Trust will register 20,000 village heads that will work with the Trust to mobilise communities for implementation of various community development projects.

from getting promises from the government that it would ensure efficiency in the subsequent year. This is what has been referred to as the 'shadow state' with ruling elites making all the right noises and putting recommendations on paper on how to improve efficiency of the programme. Meanwhile, capture and corruption have continued. This 'shadow state' is predominant in the implementation of decentralisation in Malawi.

Rural communities have also learned to respond to leaders that promise and deliver 'handouts'. This might explain why each new government has tried to overdo the previous one on promises and the type of handouts to be provide. The use of state or donor resources to the advantage of ruling party is in line with arguments by Wunsch (2001) who has noted that authority and resources are captured by either (or both) central or local actors who are interested in keeping them from reaching local governments.

The nature of neopatrimonial state also seems to be adapting, in the sense that there are now only very few life long leaders in Africa ('life long big men'). With the emergence of democracies in a number of countries, presidential elections take place regularly. The new big men (and women) are instead interested in serving all constitutional terms allowed and in ensuring that their chosen successor continues to rule after them. Muluzi selected wa Mutharika as his successor, while wa Mutharika tried to push for his brother to succeed him. This adaptation of the neopatrimonial state has extended to decentralisation where ruling elites consciously make decisions on which aspects of reform are less threatening and easier to pursue. Fiscal reforms around the Local Development Fund have allowed the state to access millions of dollars from the World Bank and other donors. Yet, political reforms have been slow, and in some cases progress has been reversed. Generally, the way in which donors

and other external actors have engaged with the state (with inconsistencies, and lack of common approach) has enabled ruling elites to capture reforms and implement decentralisation in a way that is advantageous to them.

So what can be said about the prospects for local development planning in Malawi? Both Muluzi and wa Mutharika 's administrations invested heavily in the formulation of a comprehensive district development planning system. This system emphasizes technical aspects of carrying out planning at local government level. Yet as this thesis has shown, the local development process is muddled with many challenges including informal influence (and capture), earmarking of funds and limited technical capacities. Worse still the majority of resources flowing to councils are for ORT with very little remaining for anything else. At community level development committees were captured by chiefs and the ruling party. These development committees also have limited capacity to plan, implement and monitor community projects, and they often came up with long wish lists. As has already been argued, to some extent the weak capacity of decentralised structures is due to actions by donors and NGOs that create their own committees in a quest to achieve greater efficiency. However, these 'NGO committees' are themselves not immune from capture or the politics. As a result the district development planning process has not shown promise to lead to greater responsiveness to local priorities.

Smoke (2003) has highlighted the importance of a 'broad vision for what the decentralised system should be and what it is expected to achieve over time; a framework that elaborates the elements of the system and linkages among them; and a pragmatic way for bringing the system into existence and to adjust and support its evolution over time'. Malawi has demonstrated that this broader vision can change between leaders, for instance between Muluzi and wa Mutharika. This change in the

vision also has an effect in how ruling elites manipulate the elements of what the system should be to their advantage. In the case of wa Mutharika he used the very same democratic institutions promoted by donors—parliament—to pass laws that changed the design of reforms and enabled him to centralise powers. This demonstrates how the neopatrimonial state is adapting in a new environment.

So what can be done about decentralisation in Malawi? The emergence of Joyce Banda and her rhetoric suggest that there can be small windows of opportunity when some big men/ women show interest in pursuing reforms. Joyce Banda's minority government, facing a deepening economic crisis has looked to donors for support. In return for this assistance, the president promised to embark on a road to reforms. Tripartite bill was passed paving way for local government elections alongside presidential and parliamentary elections in 2014. This in itself is a significant step for a minority government (and a new ruling party), which might not be sure of the size of its support base at local level. Rather than view elections as an end in itself, there is need for better coordination amongst donors, the government and other actors, to agree on a set of key political and technical reforms that the government needs to pursue at a time—and to ensure that adequate time is indeed allowed for reforms to materialise. Donor aid can then be applied strategically as an incentive for pursuit of these packages of reforms. It is worth acknowledging that withholding of aid has not worked in the past, this could have largely been due to problems amongst donors themselves—inconsistencies in approach and too many agendas.

Nevertheless external actors must also acknowledge that the most important transformation will occur from within when elite groups and non-state actors, other than ruling elites begin to push and negotiate for reforms. For instance, while donors played a key role in pushing for the change to multi party form of government in

Malawi in 1993, in the view of the researcher who lived through the experience it was probably the emergence of a coalition of elites from within—pressure groups, university students, and civil society organisations such as religious groupings-that finally forced the one party state to collapse. In a way this means donors should be prepared to leave their comfort zones and allow for politics to take the centre stage. It is also worth investing in programmes that strengthen capacity particularly to address weak opposition parties and to strengthen civil society organisations at national and local level. With time this might just create a dominant coalition of elites interested to pursue decentralisation.

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2) Actionaid official 2, 18 October 2010
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4) CARE official and member of NGO Forum, 3 September 2010
5) Centre for Human Rights and Rehabilitation (CHRR) staff, 30 October 2011
6) Couple (neighbors to former President wa Mutharika), Area 12, Lilongwe, 1 October 2011
7) Democratic Progressive Party (DPP) Member of Parliament, 8 May 2011
8) Democratic Progressive Party (DPP) member, 4 May 2011
9) Department for International Development (DFID) official, Lilongwe, 15 October 2011
10) DFID official 2, 15 October 2011
11) DFID official 3, 15 October 2011
12) Former Common Approach to Budget Support (CABS) official, 4 April 2011

13) Former Coordinator- National Initiative for Civic Education (NICE), 1 August 2010
14) Former NICE Coordinator, 30 November 2012 (follow up interview)
15) Former Salima AIDS Support Organisation (SASO) official, 29 June 2011
16) Former United Democratic Front (UDF) Councillor, 4 May 2011
17) German Development Agency (GIZ) official, Salima, 5 August 2010
18) GIZ governance official, 3 October 2010
19) Group Village Headman, Traditional Authority Kambwiri, 14 December 2010
20) Group Village Headman, Traditional Authority Khombedza, 5 May 2011
21) Group Village Headman, Traditional Authority Pemba, 7 May 2011
22) Interview, Adventist Development and Relief Agency (ADRA), 30 July 2010
23) Irish Aid governance official, 5 October 2010
24) Kalondolondo (Community Based Monitoring project) official, 13 January 2011
25) Local Development Fund Technical Support Team staff, 14 March 2011
26) Local NGO representative and member of District Executive Committee (DEC), 18 May 2011
27) Ministry of Development Planning and Cooperation senior official, 2 March 2011
28) Ministry of Development Planning and Cooperation staff, 2 March 2011
29) Ministry of Local Government and Rural Development, Senior official, 6 October 2010
30) Ministry of Local Government and Rural Development, Senior official 2, 1 July 2011
31) National initiative for Civic Education (NICE) Volunteer, Traditional Authority Ndindi, 5 March 2011 (follow up interview)
32) National Local Government Finance Committee staff, 2 September 2011
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34) NICE Volunteer, Traditional Authority Kalonga, 16 May 2011
35) NICE Volunteer, Traditional Authority Khombedza, 13 August 2010
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43) Salima District Council Secretariat staff 3, 21 December 2010
44) Salima District Council Secretariat- Senior official, 8 September 2010
45) Salima District Council Secretariat, Senior official 2, 24 January 2011
46) Salima District Education staff, 7 September 2010
47) Traditional Authority 1, Salima, 29 October 2010
48) Traditional Authority 2, Salima, 30 October 2010
49) United Nations Capital Development Fund (UNCDF) staff, 29 September 2010
50) United States Agency for International Development (USAID) governance official, 2 February 2011
51) Village Development Committee (VDC) Chairperson, Traditional Authority Khombedza, 2 August 2010

52) Village Development Committee (VDC) Chairperson, Traditional Authority Khombedza, 2 August 2010
53) Village Headman, Traditional Authority Kalonga, 20 July 2010
54) Village Headman, Traditional Authority Pemba, 11 November 2010
55) World Bank official, 12 May 2011

Focus Group Discussions

1) Area Development Committee (ADC), Traditional Authority 3, 15 August 2010
2) Area Development Committee, Traditional Authority 4, 19 November 2010
3) Democratic Progressive Party (DPP) members, 20 February 2011
4) Malawi Congress Party (MCP) members, 21 February 2011
5) Mambo Women's group, Salima, 15 August 2010
6) Maravi Peoples' Party (MPP) members, 20 February 2011
7) United Democratic Front (UDF) party members, 21 February 2011
8) Village Development Committee (VDC), Traditional Authority Pemba, 16 April 2011
9) Village Development Committee, Traditional Authority Kalonga, 16 April 2011
10) Women's group, Traditional Authority Kalonga, 24 February 2011
11) Women's group, Traditional Authority Pemba, 24 February 2011