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HANDBOOKS

Routledge Handbook of Public Policy in Africa

Edited by Gedion Onyango

'This Handbook is very timely as Africa exerts agency in response to COVID-19, global warming, the digital economy etc. It brings together both the old and the new generation of scholars in Africa writing on governance for sustainable development in 2025 and beyond. It treats emerging issues for a public policy like migration, urbanisation, pollution etc. This volume captures contemporary debates and directions and points towards innovative challenges and responses, including the continent's burgeoning diaspora. It comes in handy for Development Cooperation professionals, students, and university teachers interested in developing contexts like Africa.'

*Timothy M. Shaw, PhD, Faculty Fellow, Department of
Conflict Resolution, Human Security, and Global Governance;
McCormack Graduate School, USA*

'This is an extremely ambitious book dealing with the making and implementation of public policy in Africa over a long time in diverse countries, both in terms of historical heritage and contemporary political regimes. Gedion Onyango does a wonderful job in introducing the theoretical minefield of studying public policy in Africa as a single "problematique". At the same time, the different chapters seek to tell the stories of each nation's experience. As a "handbook", this publication will be a good resource for both students and teachers dealing with any aspect of public policy in Africa. Scholars researching issues of governance in Africa are likely to include this book in their reference menu.'

*P. Anyang' Nyong'o, Professor of Political Science, and The Governor,
County Government of Kisumu, Kenya*

'Why has social and economic development in Africa been so sporadic and uneven? This volume offers insights in terms of the (mis)governance of public affairs. As a first comprehensive review of the state of the art in public policy studies in Africa, it fills a yawning gap in the research literature. Gedion Onyango has drawn together a powerful team of scholars from within and beyond the continent to make the case that the future well-being of Africa's people depends in good part on systems of responsive, collaborative, evidence-based decision-making by policy actors inside and outside the state.'

*Michael Bratton, University Distinguished Professor Emeritus,
Michigan State University, USA*

'This volume assembles a multi-disciplinary team of scholars, practitioners, researchers, and policy experts from leading universities and research organisations across Africa and beyond who analyse different public policy ideas and practicalities faced by African nations today. It provides some unconventional but comprehensive insights on the contextual trajectories and commonalities of public policy and governance in theory and practice across different sectors and states in Africa. Undoubtedly, it will serve as a critical resource in years to come for teaching and training on public administration and policy in Africa and similar contexts in the Global South.'

Kempe Ronald Hope, Sr., Development Practice International

'This volume is an exceptional contribution to our understanding of the evolution of African states. Its focus on public policy, both with the breadth of topics and depth of coverage, helps the reader understand the challenges and successes of the nuts and bolts of state building in Africa. It takes us from Aristide Zolberg's metaphor of the state leader with multiple phones

on his desk that were connected to virtually nothing, to see how those linkages to core state functions have been gradually built. One of its particular strengths is the comparative analysis among several states of key public policy issues and processes. Another is its focus on the research of African scholars. I recommend it most highly.'

James S. Wunsch, PhD, Professor Emeritus, Creighton University, USA

'Two key challenges have persisted in Africa; first, decision-makers have not understood and implemented sustainable policies at the intersection between politics and policy. Second, the teaching, research, and public policy writing in higher education institutions have been externally-focused, hence difficulties in applying public policy theories to African contexts. This Handbook bridges that lacuna. Many contributions are rich with theoretical and practical insights that provide new policy insights or augmenting existing knowledge bases. I highly recommend it as a stand-alone text for public policy courses and desk reference for African policymakers.'

*Kelechi A. Kalu, PhD, Professor, Department of Political Science,
University Of California Riverside, USA*

ROUTLEDGE HANDBOOK OF PUBLIC POLICY IN AFRICA

This Handbook provides an authoritative and foundational disciplinary overview of African Public Policy and a comprehensive examination of the practicalities of policy analysis, policymaking processes, implementation, and administration in Africa today.

The book assembles a multidisciplinary team of distinguished and upcoming Africanist scholars, practitioners, researchers, and policy experts working inside and outside Africa to analyse the historical and emerging policy issues in 21st-century Africa. While mostly attentive to comparative public policy in Africa, this book attempts to address some of the following pertinent questions:

- How can public policy be understood and taught in Africa?
- How does policymaking occur in unstable political contexts, or in states under pressure?
- Has the democratisation of governing systems improved policy processes in Africa?
- How have recent transformations, such as technological proliferation in Africa, impacted public policy processes?
- What are the underlying challenges and potential policy paths for Africa going forward?

The contributions examine an interplay of prevailing institutional, political, structural challenges and opportunities for policy effectiveness to discern striking commonalities and trajectories across different African states.

This is a valuable resource for practitioners, politicians, researchers, university students, and academics interested in studying and understanding how African countries are governed.

Gedion Onyango is a University Lecturer of Public Policy and Administration at the Department of Political Science and Public Administration, University of Nairobi, Kenya.



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To
My wife Emily, &
Our children
Amor and
Mich



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FOREWORD

Contemporary Africa merits serious attention from political science scholars, students, and governance practitioners for multiple reasons. Global influences on African public policy processes and outcomes, and evolving African contributors to poverty alleviation, global social justice, and disease control, jointly constitute compelling concerns of the 21st century. Lessons drawn from the nature and interconnections of African public policy, governance, individual and institutional ownership, power asymmetries, and sustainable development trajectories promise to be of applied value both internally and transnationally. This *Routledge Handbook of Public Policy in Africa* focuses on these critical issues that condition public policy impacts.

The environment-poverty nexus lies at the core of the sustainable development policy challenge. The well-being of humans and other species, now and in the future, is at stake. In this and other critical public policy interfaces, the Global North needs to discern and embrace insights from the policy research underrepresented South. Towards such efforts, for instance, Nigel Crisp (2010) provides a detailed enumeration of ways rich countries can learn from poor places when it comes to the health policy and practice arenas. This book takes this further through its policy insights and case studies regarding adaptable potential in health care, social protection, food security, nutrition, education, and other sectors.

Another area often overlooked in policymaking circles is the human resource crisis (Koehn and Obamba 2014). Building practical interpersonal transnational interaction skills among stakeholders at all levels and forms of governance constitutes a key component in enhanced policymaking in Africa (Koehn and Rosenau 2010). Africa's future policy shapers and implementers need to be skilled in collaborating on jurisdiction-traversing projects that mobilise and link diverse ethnic, class, and educational backgrounds. Collaboration competencies will increasingly be in demand given the daunting emerging and re-emerging wicked problems also experienced across Africa. Challenges of gender equality, environmental protection, and population-health care, displacement and internal/transnational migration, and opportunities to integrate sustainable advances in science and technology into boundary-spanning policy decisions to promote human well-being are yet to be well understood everywhere, including Africa. There is a need to apply public policy approaches to discern the effects of these challenges on African populations and systems. This handbook partly deals with some aspects of this and other issues of governance in African countries.

To develop effective public policy responses to citizen needs, attention to strengthening official and informal governance at subnational levels in Africa is also overdue. Thankfully, subnational governance receives extensive treatment in this work. Forging partnerships, both within and across governments and public institutions and non-governmental agencies, features successful initiatives. At the same time, independent and transparent oversight and outcome/impact evaluation need to be core components in the overall governance-policy-development picture. Although the 17 Sustainable Development Goals (SDGs) are universal, they are intended to reflect national realities, capacities, and levels of development – and to respect national priorities and policies – which imply a central role for country-led data and evaluation (Uitto 2016). In this volume, Gedion Onyango's lead-off integrated and comprehensive framework for analysis of public policy processes and their intersection with governance across the continent facilitates attention to these and other pressing issues.

Particularly noteworthy is the inclusion of participants in the policymaking process, from international/domestic bureaucrats and private executives to women legislators and traditional chiefs. The compelling vision of public policy as both dependent on and explanatory of governance and its deficiencies at national and subnational levels further distinguishes this guiding framework. Along with revealing and valuable insights regarding transnational, state, and community connections, therefore, this collection's consistent focus on public policy processes allows for penetrating analysis of African governance systems.

The African-context-based chapters contributed by the volume's accomplished authors further enlighten through multidisciplinary analysis. Concomitantly, the detailed multi-sector findings collected here complement the book's theoretical framings. Together, the chapters highlight the policy and governance roles of multiple and diverse actors, illuminate unequal power relations among groups and individuals along with informal and formal "pockets of effectiveness", and shed light on how policy reforms and country-specific National Development Plans (NDPs) have fared.

The combination of comprehensive coverage, penetrating analysis, and applied insights positions the *Routledge Handbook of Public Policy in Africa* as work deserving attention by researchers, practitioners, students, and other stakeholders concerned with politics and public policy in Africa and beyond, going forward. On the policy side, the volume provides insights on specific innovations and politically feasible change prospects of interest to internal and external actors concerned with addressing challenges involving health care, food production and distribution, climate change, population displacement, education, women's rights, and social protection.

This volume is also essential because politics, policy processes, and public policy operate at the core of development studies. The pressing challenges faced by actors engaged in development cooperation worldwide continue to centre on resource mobilisation, distributional inequities and social justice, environmental disturbance, transparency, and energised and informed citizen participation. Consequently, policy attention must address underlying social, economic, health, education, and political drivers of development and underdevelopment. These considerations receive extensive attention in this book's theoretical treatment of African public policy and its substantive, research-based, country-specific, and comparative chapters. The compilation is comprehensive, both regarding countries receiving attention and concerning the policy issues and approaches addressed – from Ebola in Sierra Leone and COVID-19 in Uganda to universal health care in South Africa; education in Angola, Liberia to children/youth and poverty in Kenya; decentralisation in Malawi to indigenisation in Zimbabwe. And from economic development in South Africa and Nigeria to multiculturalism and gender mainstreaming. Also noteworthy is the attention of contributors to emerging

policy challenges, including migration, climate change, and sustainable cities, dealing with E-waste, and the unintended impacts of the COVID-19 pandemic on industrialisation policies in Africa.

Understanding Africa's sustainable development promise revolves around decentred partnerships that include external actors consulting and collaborating in symmetrical relationships that empower indigenous stakeholders at national and sub-national levels. The 2008 *Accra Agenda for Action* remains a definitive and monitorable expression of sustainable development partnerships' basic principles, namely, country ownership of national development strategies, harmonisation and alignment of external involvement with those strategies, and mutual accountability. Consistent with these principles and the *Handbook's* contributions, it would be timely for development stakeholders in Africa to revisit Goran Hyden's politically autonomous development fund (see Koehn and Ojo 1999, pp. 1–96).

Managing the daunting challenges of sustainable development in Africa in the decades to come will require transcending and spanning boundaries of place, political inclinations and institutions, fields of expertise, and socio-cultural contexts. COVID impacts and recovery further complicate the immediate cross-sector challenges involved. Are local, national, and transnational policymakers positioned for the requisite boundary-spanning roles? Founded on conceptual framing and case-study treatment, the *Routledge Handbook of Public Policy in Africa* documents policy and governance promise and handicaps, strengths and deficiencies, and reasons for hope and concern in its treatment of the intersection of African politics and collective policymaking.

Peter H. Koehn

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1

A PUBLIC POLICY APPROACH TO GOVERNANCE IN AFRICA

An introduction

Gedion Onyango

Introduction

The purpose of this volume is generally twofold – to provide a foundational understanding of *African Public Policy* and *policy processes* in Africa. The first involve moderate attempts to re-evaluate, readjust and apply policy concepts, approaches, models and theories to explain Africa’s unique governing and governance contexts. The second objective involves understanding different components of policy processes composites that explores, evaluates, examines and empirically puts into context different governance approaches, strategies and frameworks that have characterised the past and present of public policy as a practice of governments, Non-Governmental Organisations (NGOs) and transnational networks in Africa. Both exercises take stock of the extant literature while also exploring new analytical paths for *African Public Policy*. This volume establishes an understanding of public policy within its broader contexts, which can be better undertaken by looking into governance domains often mostly subsumed in Africa’s development discourses and programmes. Generally, this book emerges from the prevailing gap in understanding public policy as a governance domain, given how the government, politics and management in Africa have been studied over the years. A few observations deserve a mention in this regard: First, Public Policy as a field of research and practice is generally understudied as a discipline in Africa, especially in African Political Science as other social science domains. Just like it was the case in the 1970s United States, most studies on governance in Africa “have only occasionally turned to policy and government. [B]ut the tendency has been to do so only because the interesting conflicts are around issues, and many issues involve basic policies” (Lowi 1972, p. 299). Studying, teaching and training public policy in Africa is generally at the peripheries of development policy and governance discourses leading to a lack of conceptual clarity, under-theorising and understudying public policy in Africa.

Recently, however, this seems to be changing in some quarters, even though, these efforts are still insufficient. Anthropological studies by Francophone Africa’s governance scholars in West Africa, for example, have addressed some of these theoretical gaps by looking into how the Africa state works, presenting critical insights on public policy (political action) dynamics or realities on the ground (e.g. Bierschenk and Oliver de Sardan 2014). With donor funding, non-governmental research organisations have also been recently making pathways in generating critical policy data, especially in social policy sectors to inform policy actions across Africa. Generally, therefore, and judging by fewer edited volumes and books

published since the beginning of this Millennium (e.g. Kalu 2004; Goldman and Pabari 2020; Onyango and Hyden 2021), the African scholarship on public policy is seemingly lagging in setting the agenda for studying public policy as a field and as a practice.

Second, rich data from case-study methods in Africa remain unintegrated to bring relevance and rigour in understanding public policy as an area of study and practice. The extant literature on Africa's public policy is siloed and highly fragmented alongside different social science disciplines, sectors and professional lines resulting in a lack of theoretical and disciplinary developments of public policy as a field of study in tertiary institutions and a lack of intersectoral and interdisciplinary lesson drawing by policy scholars, practitioners and development actors in Africa. Undoubtedly, enormous literature or case studies on policy effectiveness exist, mainly and more explicitly in Health Sciences, Development Studies, Environmental Studies, among others. Still, this differs from one country to another, with other countries and sectors being more studied than others. Also, insights from these studies have neither stimulated comprehensive theory-building for studying African Public Policy or governments in Africa, nor adequately inform policy studies in other policy sectors that may generally benefit from their findings.

Third, most of what we may know about public policy in Africa lies in the grey literature or publications and survey reports by donor organisations and researchers whose lenses and frames of analysis align to serving their funders' interests. As such, corresponding debates on how to order institutions and governance structures and the search for policy solutions have been chiefly confined and shaped by donor-friendly data that apply international instruments (or global indices) keen on generating comparative conclusions on how African countries perform in relation to the Western countries (Hyden 2021; Mkandawire 2001). This literature often rationalises and promotes donor-dependence by African countries, which has reduced some government institutions in Africa to mere operational 'shells' for donor-funded programmes to the extent that they practically collapse when funding comes to an end. Therefore, public policy analysis and research in Africa are dominated by donor frameworks, international policy systems, models and approaches (Delville and Ayimpam 2018). In other words, there is more obsession with internationalisation than contextualisation of public policy designs and instruments in Africa (e.g. Delville and Ayimpam 2018; Mkandawire 2004), even when the evidence shows otherwise (Parker and Allen 2011).

However, this notwithstanding, internationalisation has been a mixed blessing. It has resulted in adopting new ideas and approaches in some policy areas that have expanded political space for policy change and innovation (Himmelstrand et al. 1994). A plethora of studies show that many of these new ideas and strategies, nonetheless, have never been fully put into practice (e.g. Ayee 2008; Olowu 2019). Simultaneously, though, their implementation in most cases has served "to entrench and stabilise reconstructed policy systems, thus constraining the scope for further change" (Howlett and Ramesh 2002, p. 31). In particular, internationalisation has also facilitated the hegemony of donor agencies and governments in Africa's development and public policy, leaving open the question of emerging trajectories and convergences, context-specific innovations and political possibilities for change in African countries (Olivier de Sardan 2008; Onyango and Hyden 2021).

Fourth, and more broadly, like most of Africa's social science and related disciplines, public policy epistemologies and ontologies remain analogous with the United States and Western Europe's experiences, governing processes and systems despite a consensus that policy context matter in the study and theory of public policy. Comparative public policy has similarly been confined to the Western world, leaving out developing regions, mainly Africa. For instance, the mainstream policy theories do not consider the implications of donor interventions and institutional reforms in African countries "where society is still largely

natural, and the state mandate is to forge a new nation [...] that does not factor in policy or institutional designs funded by donors” (Hyden and Onyango 2021, pp. 258–9). Indeed, it is not surprising that the American and European textbooks and their theories of public policy have dominated policy studies and analysis in developing political contexts in Africa and beyond.

But this also presents both a challenge and opportunities for studying *African Public Policy*. While this volume demonstrates underlying theoretical and practical trajectories of Western oriented theories, it also improves related models and frameworks’ viability in different policy sectors and systems in Africa. Each chapter is keen to address the theory and practice of public policy within a particular policy sector while also generating comparable conclusions.

Given the isomorphic nature of governance approaches today, a discussion on public policy in Africa, as elsewhere, can hardly be conducted outside these comparative classifications that have come to characterise the *art* and the *science* of public policy and analysis (e.g. Peters and Zittoun 2016). Generally, the empirical and normative theory-building, teaching, modelling and framing discourses of public policy in Africa are predisposed to looking into State and the nature of its institutions a tradition that has been there, albeit in African Political Science and other social sciences for some time now (e.g. Nyong’o 2021). One of the central concerns in this volume is understanding how these have really changed over time while impacting critical microscopic governing processes, including emerging trajectories and underlying similarities across African countries. This volume’s public policy approach to analysing African governance demonstrates multisectoral and multidisciplinary integration efforts of studying governance in Africa. Perhaps such analysis may reduce common bounded rationality problems in government action (see Simon 1957) by generating knowledge and disseminating data across sectors while similarly reducing the degree of *mess* confronting administrators in policy analysis (see Lindblom 1959). Different studies in this volume also explicitly demonstrate the tendency of the logic of strategic ignorance (Gross and McGoey 2015) that has been employed for decades by donor organisations and governments in their pursuit of one size fits all approach over functional or contextually informed strategies in handling African policy problems.

That said, this introductory chapter lays out the public policy agenda for studying and ordering governance reforms in Africa. This includes laying out its objectives and uniqueness. It points out that given the surge of what we may term as *public policy consciousness in Africa* in recent years, there is a need for a policy-biased approach to governance in Africa. Public policy consciousness has been evident in the growing introduction of public policy courses and graduate training programmes across African universities, the cropping up of policy research organisations and the increased attention to narrowing the *research-policy-public* interfaces to improve the government quality. It primarily responds to the dearth of literature on public policy for teaching and understanding public policy and administration in African universities amid these changes. Efforts to comprehensively understand public policy both as a dependent and an explanatory variable of governing or governance have gained currency in the region in the last decade. Different governments are increasingly investing more resources in strengthening public policy research institutes (government think tanks), engaging in internal and external policy partnerships, training and creating policy advisory departments at the national and sub-national levels. Commissioning of research in Africa, especially by international research organisations, has also emphasised addressing the *policy-research* gaps resulting in the rise of think tanks and non-governmental research-based organisations across and outside Africa concerned with studying African public policy.

Also, African universities have recently come up with public policy syllabuses, and policy training programmes besides engaging in collaborations like that overseen by the *Partnership*

for *African Social and Governance Research* (PASGR). The PASGR's initiative, for instance, has brought together 16 universities in 9 African countries to work collaboratively on graduate public policy syllabuses and doctoral training for African students, including building capacities for teaching public policy in member universities. However, even though such efforts are hardly new considering different policy reform processes of development policy in Africa since the 1960s, the pedagogy, research and practice of public policy remain under-explored and under-developed.

On practice fronts, a public policy focus of this volume also recognises and comes from the backdrop that, unlike decades ago, there have been growing citizen-centred engagements in governing processes following the withering away, albeit inconsistently, of autocratic regimes across the region. As things change globally, African countries are not an exception in this shift, hence *Africa Rising* concept. With globalisation and boom in technology, citizens are relatively more engaged in how they are governed. But challenges persist, especially those founded on autocratic norms and colonial legacies – that is, many countries in Africa are still dealing with *developing* and *democratising* challenges (Hyden 2021). What this implies is that the contextual specificity and multidimensionality of the public policy approach undoubtedly provide the needed insights for discerning and addressing some of underlying governance deficiencies at all levels. After all, policy effectiveness has been the undergirding operational logic of governance reforms in Africa since the 1980s and even before (e.g. Hyden and Bratton 1992; Olowu and Seko 2003; World Bank 2017).

While mostly attentive to comparative public policy in Africa, this volume generally raises and makes attempts to address the following pertinent questions in Africa:

- i How can public policy be understood and studied in Africa?
- ii How does policymaking occur in somewhat unsettled political contexts and less capable states like those found in Africa?
- iii Has the ongoing democratisation of political, economic and administrative systems improved policy processes and effectiveness in Africa?
- iv How has the internationalisation of policy systems met with contextual variables or governance spaces in Africa, and how does this impact public policy in the 21st-century Africa?
- v How have recent transformations, including technological advancements in Africa, impact public policy processes?
- vi Lastly, what are some of the pending policy challenges and possible policy paths for Africa in the future?

In general, understanding public policy in Africa takes stock of different facets of governing. For example, it can take stock of policy history, looking into the colonial policies and their legacies, the philosophical heritage of the state's reform process since independence and the contemporary consequences of these on the state-society linkages in African contexts. It can also involve a systematic analysis of the introduction and development of different policy systems in the region and how they relate to informal composites to pattern governing processes. African policy study may further include academic auditing of various social science and economics theories and approaches undergirding government practice or development (Himmelstrand et al. 1994; Kalu 2004). Given that colonial policy led to integrating African economies into the international political economy, philosophical structures and programmes for policy change since independence have been relatively similar to those in other developing and even developed contexts (Hyden 1994; Mkandawire 2004). Thus, examining *African Public Policy* also involves how changes in the international political economy, including globalisation and

technological transformations, influence governing structures, ideas and processes at home. This may include investigating how the international policy systems, growth in technology and internet, Artificial Intelligence, urbanisation, women and gender, regional integration and donor approaches impact state-society and transnational relations in Africa today.

In this volume, authors handle these issues more broadly, concisely and comparatively – theoretically and empirically – across African regions and countries and specifically within sectors and institutions. As the first Handbook to comprehensively cover public policy in Africa, this volume prides itself in its distinguished authorship, most of whom are Africans, novelty and multidisciplinary approach to African Public Policy. Its public policy approach examines and integrates African governments' qualitative and quantitative nature, changes and capacities as patterned by the *de-jure* and *de-facto* governing variables. Therefore, the authors evaluate and analyse policy histories and several vague or specific governance domains and sectors since the 1980s and before.

These analyses begin by recognising that development, governance and public policy analytically have blurry historical and conceptual relationships in understanding political change processes in Africa (e.g. Hyden and Bratton 1992; Mkandawire 2001; Olowu and Seko 2003). In this way, this chapter's proceeding sections briefly highlight these philosophical connections between *development and governance* paradigms, assuming that the latter has become the new frame for discerning and ordering the complex domains of the former since the 1980s, and implications of this for public policy in Africa. From this, the volume's public policy approach objectives and structure can be demonstrated. Doing so broadly ties together specific topics on different policy theories, systems and sectors presented in this volume into a central logic: a public policy approach to governance in Africa.

Development paradigms: why more attention to public policy in Africa?

African Public Policy has travelled different philosophical paths/ideological regimes ranging from different socialist flavours, liberalism and lately a mixture of neo-Marxist, neo-liberalism, neo-Weberianism and Look-East. Undergirding this ideological shift is the pursuit for state systems that can function in the manner and form of Western democracies (e.g. Hyden 2006; Mkandawire 2001). This began immediately after independence, with development administration framed by modernisation theory, and shortly gained impetus with the introduction of market principles in the 1980s following the triumph of liberal ideologies. Since then, proceeding periods and engagements either locally, nationally or transnationally have been characterised by efforts to fine-tune this arrangement, with *governance* as undergirding philosophy. Even so, within *Development Administration*, *Structural Adjustment Programmes* (SAPs), *Poverty Reduction Strategies Programmes* (PRSPs) and recent *Comprehensive Policy Frameworks/National Development Plans* lie the general question of how best to organise development or order governing instruments to enhance policy effectiveness.

Unsurprisingly, these paradigms are relatively analogous to their Western nomenclatures of New Public Administration, New Public Management/Reinventing the government, New Public Governance (Open Government), including neo-Weberian approaches like Joined-up government. These governance approaches primarily operationalise and integrate informal and formal facets of politics and development. Recently, these have included addressing public trust concerns, and enhancing collaborative innovation, digitalisation and networking in public policy and service delivery, among others (Onyango 2019; Osborn and Brown 2005).

However, in Africa, unlike in the North, this shift also somehow paints an inconclusive picture. State institutions upon which such governance approaches are anchored still *hang somewhere* in the middle. The state's presence is not fully felt in people's daily lives and circumstances (e.g. Bierschenk and Oliver de Sardan 2014). Even where public sector reforms have been recently undertaken to deepen development, mainly through decentralisation (or Local Economic Development – LED approaches), these systems remain primarily *unsettled* given the challenges of political will from the centre, among other challenges (e.g. Onyango 2020).

But, despite their disparate, interdependent and overlapping policy frameworks, the inherent primary concern in development paradigms revolves around the central question of the state's role in society today: *What should the government do and how should it go about doing these things?* (Rosenbloom 1983). This means that governance structures should be organised in ways that fundamentally settle Harold Lasswell's ([1936]1990) broader political question: *Who gets what, when and how?* Therefore, each paradigm, either development, management or governance, mainly varies in its view of the state's and other player's roles in the development and public policy.

Undoubtedly, Africa's governance issues and governing systems are often framed from development perspectives, making development paradigms the basis for understanding the interstices between development, governance and public policy. Table 1.1 summarises these development paradigms' components over time and the corresponding policy regimes and implications for public policy structures and change processes in Africa from the 1960s to date.

Table 1.1 Evolution of development paradigms and policy regimes in Africa since independence

<i>Paradigms</i>	<i>Period in Africa</i>	<i>Nature of policy regime</i>	<i>Policy implications</i>
Traditional Public Administration	Colonial state	Centralised/ top-down/ bureaucratic	Control/regulation/ bureaucratic hegemony in policymaking and implementation
Development Administration/New Public Administration	Independence to the late 1970s	Centralised/societal responsiveness	Welfare modernisation policies industrialisation
Structural Adjustment Programmes/NPM	Post-independence (from 1980s)	Decentralised (content conditionality)/ Market responsiveness	Managerialism Commercialisation Agencification, specialisation Decentralised policymaking Private actors in public service delivery/contracting out
Poverty Reduction Strategy Programmes/SAPs/ Millennium Development Goals	From 2002 Revising SAPs	Decentralised (process conditionality)	Partnerships Policy ownership Consultation Participatory decision-making
National Development Plans/ New Public Governance/ Public Value/Digital Era Governance/Open Government	Current	Decentralised/ Pluralistic	Comprehensive approach Stakeholder policymaking Co-production Public-Private Partnerships Participatory Governance Networking/informalisation Technological integration Digitalisation/GovTech Joined-up government

It is important to emphasise that even though development paradigms have enriched the theorisation, teaching and framing of the intricacies in Africa's public policy practices since the 1960s, their analyses have focused more on facilitating macro than micro changes in a political system. In consequence, development and management paradigms provide little incisive insights into how the state and community actually relate to each other in Africa and how this relationship influences feedback mechanisms between the two following implementation of governance programmes. In this way, and unlike in public policy, epistemologies of development cooperation do not readily provide conceptual rigour and clarity in organising effective government action processes. In this volume, we consider the public policy domain of governance as an appropriate way of measuring government performance because it is eclectic and calls for a change of tack and analysis beyond a formal structuration of the society.

Different contributors demonstrate the *de-facto* policy experiences alongside the paradigmatic shifts from the erstwhile paradigms hinged on the state and its institutions to the contemporary era of *National Development Plans/Strategies* (NDPs) that view the state as just one of the actors in a pluralistic society. Otherwise characterised as a move from *government to governance*, these shifts have seen African states, albeit inconsistently, undergo substantial structural and normative changes to bring the citizenry and other groups inside and outside the state into the government's affairs. This notwithstanding, African governments are still caught between balancing development obligations and democracy despite sometimes being confronted by unfavourable conditions and political settlements that present options and priorities that are also ill-fitted with promoting democracy.

Therefore, to most African leaders and public bureaucracies, democracy significantly remains at the periphery of development yet unavoidable given pressures by conventional development cooperation actors (Hyden 2021). This is explicit, *among other things*, in nurturing democratic values and slow political transformations to create a conducive governance environments. In light of this relatively constrained political space, different parts of this volume also show how public policy is framed and structured in such unconsolidated political contexts.

Another challenge is that development paradigms have been mainly attentive to two key policy actors while focusing less on the local citizens' role in African governance. These are the International Financial Institutions (IFIs) like the World Bank and Civil Society activists or Non-Governmental Organisations (NGOs). In Goran Hyden's analysis, these actors have focused on different activity sites while neglecting areas that are more likely to strengthen state-society relations in a manner that would foster democratisation: for example, the role of informally mobilised groups/actors in local markets or private sector associations, as shown in this volume. Goran Hyden's conventional view is that while the IFIs concentrate on reforming the state and its institutions, the Civil Society activists "focused on the community and its potential for decentralised governance and development"(Hyden 2006, p. 1). This balances two issues: whether development should be measured with reference to the socio-economic changes or the kinds of policy systems it introduces. Because at the centre of these, there are concerns with the type of political regime and government structures that determine policy outputs and outcomes with the former underscoring the frame of politics, and the latter the process or levels of engagements by key actors and beneficiaries of a public policy. As pointed out shortly below, both concerns have, in the last decade, been at the centre of governance discourses in Africa.

In addition, the recent homegrown constitutional changes have resulted in a relatively more open governance spaces in different African countries leading to increased citizen

engagements. The adoption of the NDPs, which are keen on addressing development paradigms' salient deficit of policy ownership while also covering all areas for effective socio-economic and political transformations has made public policy even more paramount in many countries in Africa. Indeed, NDPs or Long-Term Development Visions have underscored participatory governance in society's social, economic and political pillars resulting in a comprehensive national policy framework (see, e.g. Kihwele et al. 2012).

In this volume, four significant ways that NDPs have been pursued to enhance governance linkages are demonstrated: At the inter-state level, efforts are made to strengthen the state's external links with transnational or regional policy sites and frameworks. Through this, states make attempts to align their national policy outputs and values alongside the broader global and continental policy frameworks such as the African Union's Agenda 2063, Africa Continental Free Trade Area (AfCFTA), New Partnership for Africa's Development (NEPAD) and Agenda 2030, among others.

In response to the global nature of public policy problems, these regional networks and sites stipulate and frame contemporary policy ideas (e.g. Skogstad 2017). These are aligned mainly with investing in the people in Africa, achieving social equity, food security, disease control, universal healthcare and education, and political openness. At this level, African countries attempt to strengthen regional trade and cooperation to address wicked problems, mainly environmental problems, immigration and disaster management, etc.

There are also efforts to integrate national agencies and their regional governments to ensure policy coherence, and mobilise resources and effective coordination. In Europe and North America, neo-Weberian concepts like the Whole-of-Government approach (or the Whole-of-Nation approach in situations where non-state actors are also engaged) have been used to describe similar trends. Different policy studies in this volume look into how these have come about, how they operate and how they can improve policy effectiveness. Alongside these, the democratisation of policy systems through incremental public sector reforms has created National Innovation Systems to integrate Information and Communication Technology (ICT) in public policy processes. In particular, Open Innovation strategies and social media are recently common in public service design and political communication and other governing processes in Africa, such as in election administration.

The third dimension involves micro strategies for strengthening local institutions, non-state actors and the citizenry at the local government level. This has involved deepening co-production and institutional structures of public governance such the Public-Private Partnerships (PPPs) both inside and outside the government. Democratising political and administrative systems are considered enablers for achieving these goals and attaining NDPs objectives. Thus, there is an increased need for more effective democratic planning through consultative, participatory mechanisms and processes across Africa.

The fourth dimension has created Independent Parliamentary Commissions/Commissions of Inquiry/committees and semi-autonomous agencies to improve good governance and effective public service delivery. These should ensure expertise and implementation of those policies that the state in Africa has traditionally failed to deliver, given its autocratic norms (see Onyango and Hyden 2021). These include increasing gender equality or women representation, public accountability and multiculturalism to enable good governance. Put differently, NDPs position African countries alongside the broader global and continental goals. Since the beginning of the Millennium, different African countries have implemented these overall plans implementing them through Mid-Term Plans or commonly reviewing them after five years.

However, challenges persist, ranging from institutional capacities, public accountability, autocratic governing norms, effective resource allocation, political patronage, multicultural deficits or loose social cohesion, and market failures, among others. The solution has been partly to reorganise governance beyond the formalistic approaches by weighing into what can and what cannot work as demonstrated by the normative and functional governance approaches, and by different chapters in this volume. I will briefly explain these approaches below.

The governance–public policy interface: norms vs practicalities

Building on previous studies by African scholars of the *public policy–governance* interface, this volume weaves together institutional, structural and environmental linkages between state, society, citizens and other actors, that are locally, nationally and internationally placed. It also highlights the government's official courses of action and processes for creating and arriving at collective values or interests and collective and legitimate ways of addressing societal problems. The first part connotes governance, while the latter public policy. Thus, public policy is both a dependent and an independent variable of governing and/or governance systems. In general, in the analysis of governance and public policy in Africa, two key dimensions have been noted: one *normative* and another *functional (informal governance)* (Hyden and Bratton 1992; Peters 2020; World Bank 2017). The primary distinguishing factor between the two lies in their view of the role of government systems and the interconnected nature of state–society relations in determining public policy processes and outcomes.

Normative approaches to governance and public policy

In Hyden and Bratton's (1992) analysis, normative approaches to governance are concerned with getting *politics right*. The role of the political regime that frames politics is paramount. Accordingly, good governance is inherent in the democratic regime, while bad governance resonates with autocratic regimes. Good governance supposedly creates an enabling environment for effective policy processes, contrary to bad governance. A state's top-down political transformation processes like public sector reforms should trickle down to induce the needed change in the functioning of state institutions and their environments. This essentially makes the public sector more efficient and innovative. Normative approaches, therefore, assume formalistic ways of organising society and governance systems underscoring cost-effective analysis of policy impact as advocated for in donor frameworks.

Therefore, the extent to which state politics, systems and related processes can improve government quality and formal public authority's legitimacy is critical. This, however, is an issue that remains a challenge in African countries (Mkandawire 2007). Political processes that undergird public affairs in most parts of Africa are primarily patron–clientelistic, parochial and corrupt, consequently strangling policy effectiveness. Although besides often cited comparative statistical findings on these characteristics, little is known about how public policy really takes place in the latter contexts of politics, let alone the degree to which good governance has been achieved. In addition, how elite bargains or political settlements are ordered in public policy agenda, including actual operational logics of citizen engagements in policy mobilisation as other composites of governance besides international intervention (World Bank 2017), remain under-explored in African countries. Further to this, the actual effects of good governance structures on government activities in different countries are also relatively under-researched in recent years, especially, in African political science and

public administration. In most cases, extant studies, mainly by donors, succumb primarily to analytical deficits inherent in the African state's formalistic approaches and neo-liberal construction that overlook governing practicalities in these countries (Olivier de Sardan 2008).

A functional approach to governance vs. public policy

In balancing between reinventing their own pre-colonial pasts and modernising the post-colonial state, African countries' governing systems have naturally developed hybrid systems and norms, as in the analysis by Peter Ekeh's (1975) *Two Publics* and other theories on the nature of state and its institutions in Africa. While using the term 'natural' societies, Goran Hyden argues that African governing systems and policy processes are not products of their own socio-economic transformations like was experienced in Europe and other Western societies following social revolutions that created a state capable of transforming society in its own image (Hyden 2021). Instead, it has grown out of colonialism, subsequent experimentations between the powerfully placed external actors and the interests of local elites. The functional approach to governance emerges from this realisation, as well as recent efforts by donors, researchers and governments to capture and utilise these broader contexts and functional domains to understand, design and organise governing systems and processes (see Olivier de Sardan 2008). A functional approach to governance recognises the hybridity of policy ideas, structures and power systems, actors and governance spaces beyond normative governance guidelines (World Bank 2017). The actual governance patterns are viewed as residing in the rules-of-the-game that determine logics and power asymmetries between policy actors, actions and processes, formal and informal.

A functional approach is little concerned with how politics is conducted, as in normative approaches. What is important is what happens to the citizens because of the government's interventions and its agencies' actions in the economy and society (Peters 2020, p. 3). Meaning that policy effectiveness may bear little correlation with the frame of politics, whether dispensed in a democratic or authoritarian manner. The focus is on contextual efficacies and bringing together important actors in the policy process. Because as embedded in the formalistic governance dimensions, the policy process does not operate independent of other contextual variables or groups that are primarily informal. For example, apart from the formal private associations policy legitimation and implementation processes are also primarily determined by informal public authorities like Traditional Chiefs and Council of Elders (see World Bank 2017). The essence of pursuing functional approaches have been very evident in the operations of the donor-funded research projects like the *Africa Power and Politics Programme* (APPP) and the *Center for Public Authority and International Development* (CPAID), which have investigated how to understand and work with these informal structures of governance (or *work with grain*) in Africa. The degree to elite bargain/political settlements, citizen engagement and international intervention as drivers of policy change can influence a political system depends on these contextual dynamics, regardless of the political regime (World Bank 2017). This volume demonstrates how both institutional behaviour components and other discursive processes like those in the institutional logics and public authority concepts can be used to discern informal governance spaces and public policy in Africa.

However, even though the functionalist approach may ignore the nature of the political regime, authoritarian regimes threaten policy effectiveness in several ways. First, they centralise power to a few actors, mainly politicians or state heads, at the expense of citizens and other actors. Such an arrangement is more likely to create and sustain patronage and disrupts

public accountability mechanisms, leading to problems with building political responsiveness in public policy.

However, an authoritarian system argument does not explain community resource mobilisation mechanisms, group negotiations, institutional performances or pockets of effectiveness (POEs) and policy successes in Africa, which have also characterised policy change or performance in some African contexts (see Leonard 2010). Such a focus may also insufficiently explain how recent developments like popular movement that have improved public participation in government affairs, come about despite the saliency of autocratic governing norms (see, e.g. de Waal and Ibreck 2013). A public policy approach agenda of this volume looks into these under-explored context-specific changes, innovations, different policy ideas and structures, and how these impact current and future policy performances, in particular institutional contexts or sectors. These include analyses of negotiated capabilities, policy spaces and outcomes in the day-to-day lives of Africans in their own contexts outside the common wholesale application of neo-liberal perspectives in understanding and measuring governance and democratisation in Africa. In addition, a policy-biased approach is likely to provide insights into how African states can reform their yet to be fully institutionalised public sector to benefit the majority of rural populations and explicate how the private sector and Civil Society that is still small and essentially weak across many countries in Africa can partner with government agencies to improve the quality of public service delivery. Overall, this book seeks to stimulate a robust public policy research agenda in different quarters concerned with studying and practising government affairs or political action in Africa.

The organisation of this book

Apart from the introductory chapter, this book contains 12 parts with 53 chapters, divided into the conceptualisation of *African Public Policy* and other composites of *policy process*. The first part addresses issues surrounding the research, theory and teaching of African Public Policy with different contributors dealing with specific topics on research, theorisation and teaching of Public Policy in Africa. In **Part I**, Liisa Laakso begins by discussing the social science foundations of African Public Policy as a discipline and a research field in Chapter 2. She argues that the participatory approach and insights produced by social sciences has brought together the voice of targetted communities in the social research agenda leading to better policy planning and implementation and as well as, collaborations between research institutions and government agencies. The rest of this chapter advances several critical dimensions on the theoretical role and practical evolution of social sciences, including different institutional dispensations (both professional and governmental) and how they have contributed to the understanding public policy in Africa. **Chapter 3** further considers the state of research and development of public policy as a field of study and practice in Africa, articulating both the historical and philosophical, as well as pedagogical pathways and challenges that characterise the study and practice of public policy in Africa. With a particular focus on researching and teaching public policy in Africa, Chris Tapscott examines this subject matter looking into epistemological insights and challenges for the theory and practice of public policy and how it ties to the concepts and operationalisations of governance in Africa since the 1980s. He demonstrate how that the status of teaching and research on public policy and governance in Africa remains a relic of the colonial and post-colonial eras. In **Chapter 4**, Goran Hyden looks explicitly into *Theorising Public Policy in Africa*, noting that theorising, teaching and researching public policy in Africa should begin by considering and understanding of some basic concepts. These concepts are the *public, institution and human agency*. Indeed, both explicitly in proceeding chapters, these issues

of publicness, institutions and human agency form basis of analysis across policy sectors and in the public service of different countries in Africa.

For instance, while delving on components of human agency, institutions and publicness, Tom Kirk and Tim Allen in **Chapter 5**, present *Public Authority* as an essential concept for discerning public policy's functional complexities, bringing together institutional elements of the public and extra-institutional environments and legitimacy dimensions of government action in Africa. This chapter notes the deficiencies of using the formalistic public authority, processes and structures in driving policy change or state reforms in Africa. Instead, there is a need to recognise and find ways integrating and working with equally legitimate or competitive public authorities common in Africa. In short, public policy engagements need to go beyond state-centric ways of organising and collaborating with the government. From here, James Hathaway focuses on institutional logics in **Chapter 6**, to explain issues of understanding human agency within public organisations, and institutional behaviour regarding decision-making, policy adoption and implementation in African bureaucracies. He shows how the intricacies of institutional decision-making on policy implementation processes in Africa are informed by layers of logics of action, both formal and informal, and whether the institutional logics perspective is useful for researching public policy and administration in Africa. This part closes with **Chapter 7**, where Anne Mette Kjær, through POE concept, presents conceptual insights for discerning how institutional actors' behaviours, decisions and institutional designs can explain or result in institutional performance or policy success despite the prevalence of seemingly unfavourable policy environments conditioned by patron-clientelism and other deficits. She further draws on different empirical studies and examples in Africa and from similar contexts to illustrate conditions that may either favour or hinder the creation of POEs in the African public sector.

Part II is on *Understanding Policy Framing in Africa*. Since defining policy problems in Africa is a critical governance issue, as elsewhere, Erick E. Otenyo begins this part by looking into *Policy images in Africa* in **Chapter 8**. He points out the need for a clear conceptualisation of policy endurance or change from the lenses of policy framing. He shows how influential stakeholders, mainly donor agencies, and decision-makers should use empirical information besides emotive appeals to describe the scope and dynamics of the problem at hand. He draws on a few policy problems to show how policy images and framing influence policy change. He concludes by underscoring the importance of citizen participation no matter how policy has been framed to solve a particular policy problem. It is more essential to encourage citizen participation in policy implementation to demonstrate the political system's ability to permit feedback communications of the public policy and its performance. **Chapter 9** is on *Reflections on the Political Economy of Public Policy Analysis in Africa*. Here, Michael Kpessa-Whyte and Kafui Tsekpo looks into the history and philosophical foundations of policy framing in Africa since independence. They particularly discuss the overarching ideational base of public policy analysis and policy choices in specific periods since independence in Africa. These are: the early post-colonial era, the adjustment and post-adjustment years. Another component of policy framing and policymaking in Africa lies in the role of international or transnational policy actors and entrepreneurs in bureaucratic policymaking. Indeed, despite the prominence of donor and external actors' role in public policy in Africa has been widely pointed out, the role of international bureaucrats is understudied. Thus, in **Chapter 10**, Rosina Foli and Frank Ohemeng discuss international bureaucrats' role and impact in *Policymaking in Africa*. They examine factors that sustain international bureaucrats' influence in public policy in Africa to explain the externalisation of Africa's public policy process. Oftentimes, there is a lack of recognition of the role of informal institutions in the conventional theories on policy change. The same can be said with regard

to the design of policy implementation on the agency of these informal institutions. Therefore, **Chapter 11** further turns the other side of the coin from the role of international bureaucrats to the role of traditional chiefs in public policy process. Salomey Afrifa and Frank Ohemeng look into the role of local actors, mainly, the *Traditional Chiefs as Institutional Entrepreneurs in Policy-making and Implementation in Africa*. The rationale is that policy framing and its making can also be influenced and has always been influenced by these actors. The duo, specifically examines how traditional chiefs as institutional entrepreneurs in Africa have significant leverage in the policymaking and implementation processes.

That being the case, the next chapter moves into conceptualising another murky domain in governance and policy processes, when it comes to framing policy problems, making the policies and designing their implementation. Public participation and how it can be understood in Africa is handled in **Chapter 12**. Emmanuel Botlhale delves into Public Participation and Policymaking in Local Governance in Africa where he argues that, albeit the demand on governments to enhance public participation in Africa, participatory deficits common in the normative and structural mismatches of public participation and overlaps persist. This has led to ineffective local governments and citizen apathy in policymaking processes. Relatedly, Kobby Mensah, Joyce Manyo and Nnamdi Madichie look into policy communication issues and their political components in **Chapter 13** to further package the role of citizen agency and that of political institutions, mainly, political parties. They show different elements of policy framing, political marketing, policy packaging and dissemination, and how they have become key to pitching specific policies to political consumers across Africa. Insights from this chapter captures the role of ongoing technological transformations in Africa and how they have shaped or shaping the relationships between the government and citizens, as well as political parties and voters. This part closes with **Chapter 14**, where E. Remi Aiyede and Maryam Quadri discuss *Policy Evaluation in Africa*. They conceptualise policy evaluation and demonstrate its status in Africa, indicating how policy evaluation has taken several forms and informed by multiple factors. Despite the emerging role and institutions for policy evaluation in Africa, institutionalisation challenges remain, leading to limited uptake of policy evaluation and its role in public policy. This notwithstanding, this chapter shows the impact policy evaluation can have in policy framing, and policymaking in Africa. It concludes by showing how policy evaluation structures and practice can be improved in Africa.

Part III is on *Understanding Policymaking in Africa*. This part mainly deals with structures, policy regimes, history and actors in policymaking in Africa. In **Chapter 15**, Lukamba-Muhiya Tshombe and Thekiso Molokwane deals with the theoretical understanding of *Public Policymaking in Africa* while also drawing practical examples from the experiences of Structural Adjustment Programmes across African countries. They assess the relationships between policymaking processes and components for policy performance in Africa, establishing a tendency to formulate short-lived policies, leading to insignificant impact across Africa. From here, Felix Kumah-Abiwu, James Koru Agbodzakey and Samuel Darkwa's **Chapter 16** goes further to look into *Historical Perspectives of Policymaking and Administration in Africa*. They trace historical characteristics of policymaking in Africa, noting that policymaking and administration are products of prevailing discursive processes that take stock of reform histories and failures. As such, they argue, taking stock of historical, socio-economic and political factors is essential in bringing together multiple stakeholders within the state. Finally in this part, **Chapter 17** by TK Poee and Sysman Motloung looks into *The Media and Policymaking in Africa*. Using the 2008 world economic recession and 2019/2020 COVID-19 pandemic and Nigerian and South African cases, they note that the media or the fourth estate rarely impacts economic development policy and institutional arrangements. However, there

is hope with the gradual opening up of political space due to globalisation and other factors that may assert the role of the fourth estate in policymaking in countries under investigation.

Part IV is on *Understanding Policy Reforms in Africa*. Here authors comparatively map rationales for public sector reforms and the kind of policies these reforms have produced. It opens with handling the critical issue of PPPs in **Chapter 18** by Joseph Obosi who conceptualises and discusses *Public-Private Partnership and Public Policy in Africa*. He notes different nomenclatures of PPPs and how they have applied in policy reforms across Africa. While drawing on several empirical cases, this chapter brings to light concerns with policy monopoly on critical social services like water and how the current institutional arrangements can be organised to address different components of emerging deficits or complement PPPs as a governance policy tool. Matilde Jeppesen, in **Chapter 19**, looks into the case of institutional fragmentation as a strategy to improving policy effectiveness in the African public sector. She mainly focuses on *Rationales for and Policy Implications of Implementing Semi-Autonomous Revenue Authorities in Sub-Saharan Africa*. She shows that varied policy outcomes and impacts of these institutions stem from diverse implementations, degrees of political support and structural limitations just like alluded to in the previous chapter concerning PPPs. In **Chapter 20**, Osée Kamga demonstrates the evolution of policy reform logics in the public sector with specific attention to communication policy in Africa. He identifies three phases of policy reform trajectories, which are decolonisation, modernisation and liberalisation periods. These phases, like already mentioned in *Chapter 9* above, incrementally opened up policy spaces in Africa. However, more still need to be done to create a conducive environment for the private media owners and actors. This part closes with **Chapter 21**, where John Sunday Ojo and Joanne Clarke look into policy reforms for national cohesion using a *Multiculturalism* perspective. This chapter demonstrates the complex relationships between key domains of the nation-building project in Africa – democratisation, development and public policy.

Part V is on *Understanding Politics and Public Policy in Africa*. This part deals with political reforms, political leadership, political parties and election administration and shaped public policy. **Chapter 22** begins by focusing on *The Politics of Public Policy in Africa*. Here, Michael Kpessa-Whyte discusses the policy-politics relationship, examining conceptual trajectories that the politics of public policy and administration in Africa has travelled since the 1960s. In somewhat similar logic, Adams Oloo's **Chapter 23** further looks into the linkages between political parties, regime change and policy processes in selected African countries. He argues for a closer partnership between non-state actors, interest groups and political parties on agenda-setting through collaborative lobbying, research and training to improve policy effectiveness in Africa. In **Chapter 24**, Musole Siachisa furthers Adams Oloo's line of thought but specifically writing on *Political Transition, Policy Change and Implementation in Zambia*, noting that ideological trajectories of political reforms and public policy processes in Zambia that evolved with phases of political transition and ideologies undergirding political change at the time. Roberts Kabeba Muriisa looks into executive policymaking in Uganda in **Chapter 25**. He notes national crises and uncertainties in Uganda were characterised by regime priorities leading to inadequate resources and inter-organisational coordination. These may exacerbate policy ineffectiveness, especially, when the executive's priority is on re-election amidst a formidable opposition. In **Chapter 26**, Ndongwa Noyoo focuses on a critical variable for understanding the relationship between public policy and politics in a political system. He discusses political leadership and public policy in Africa, focusing on Thabo Mbeki's policy entrepreneurship in post-Apartheid South Africa. Ndongwa demonstrates how policymaking should be typified by political leaders overseeing government bureaucracies in Africa and how an entrepreneurial political leadership when it comes to public policy is something African countries need to improve policy

effectiveness as they pursue democratic governing structures. Finally in this part, Michael Amoah focuses on Public Policy and Election Administration in Africa in **Chapter 27**. He uses recent elections outcomes in Democratic Republic of the Congo (DRC), Malawi and Kenya to argue that establishing international protocols allows independent observers' access to Election Management Bodies (EMB) central systems. The argument is that such access may address fraud or rigging allegation, curating international observers' role in public policy. Most importantly, he demonstrate how recent adoptions of electronic voting systems do little to improve electoral accountability of the incumbents or of the regime.

Part VI provides country- and sector-specific studies, hence its title *Understanding Policy Implementation Outcomes in Africa: Country Studies*. In **Chapter 28**, Emmanuel Kofi Ayisi, Justice Nyigmah Bawole and Emmanuel Yeboah-Assiamah deal with an issue that has become increasingly important in creating an environment for policy effectiveness in public administration which is democratic administration. Focusing on democratising policy implementation systems in Africa using the case of Ghana and how these improve policy implementation, they establish policy underperformance relating to policy alienation due to unbalanced power relations and information asymmetry favouring official policy actors over policy beneficiaries and other non-authoritative players in the implementation process. Following the above subject matter undergirding most reform agendas in Africa, albeit normatively, William Muhumuza looks further into an issue of policy implementation by analysing the competing interest between the regime and donors, and policy ownership of policy reforms in Uganda in **Chapter 29**. He notes the essence of implementation design and the role of donors, including where should come in and how they should engage with recipient country in ensuring policy ownership and implementation success. In **Chapter 30**, Alphonse Bernard Amougou Mbarga looks into public policy and state reforms in Cameroon, analysing Cameroon's National Development Strategy (NDS). In **Chapter 31**, Asiyati Lorraine Chiweza delves into the politics of decentralisation, mainly, implementation design of decentralisation and its political and institutional challenges for policy effectiveness in Malawi. Kennedy Manduna and Davison Muchadenyika look into implementing indigenisation policies in Zimbabwe, analysing the undergirding government's policy shifts between the 1990s and 2000s in **Chapter 32**. They show that the policy shift is often guided by particular paradigms, that may, in themselves, be complex and contested. Either way, a policy shift and paradigms upon which it is embedded may serve to enhance regime reproduction, elite personal accumulation and like in the case of Zimbabwe, settling scores with the sanctions imposers. Finally, in **Chapter 33**, Frank Ohemeng and Joshua Zaato look into Africa's policy learning and policy failure experiences. They are using the case of electricity privatization in Ghana to draw critical lessons for policymakers on policy factors that may lead to policy failure and success in similar contexts across Africa.

Part VII is on *Implementing Education Policies in Africa*. This part is looking into different approaches that have been used to improve education quality in a few selected countries in Africa. In **Chapter 34**, Francisco Miguel Paulo examines the education sector's efficacies in building human capital on the backdrop of Angolan vision 2025. He explores underlying policy challenges in the education reforms, demonstrating that critical policy challenges remain and, which may need a more protracted engagement by the government and attention by other stakeholders to ensure success. In particular, the government need to invest more on its personnel than it invests on the education structures, only to be run with unprofessional and untrained personnel. Also with a focus on education policy landscape in the postwar Liberia, Samuel Toe looks into how PPPs have fared in **Chapter 35**. He discusses the valuable predictors of success in the education PPPs in post-conflict Liberia within PPPs and how

the role of private actors play a role in ensuring policy success. Policy internationalisation and regional harmonisation to improve the quality of education systems in Africa, is an area that has recently gained attention from policymakers. **Chapter 36** by Ngepathimo Kadhila and Eugene Libebe looks into the harmonisation of higher education policies in Africa, how this works and how it can be improved. They identify challenges in the policy frameworks to ensure integrated higher education systems across Africa and provide practical recommendations for improving their policy effectiveness.

Part VIII is on *Understanding Health Policies and Disease Control in Africa*. In **Chapter 37**, Tim Allen and Melissa Parker focus on the salient issues regarding control programmes for parasites and drug administration in Africa. They explain how the lack of positive results has come about and comments on how public health policies are implemented and maintained, despite evidence about failure. In **Chapter 38**, Lauren Paremoer deals with Marketisation and Public Interest discourses in health policy delivery in South Africa. She demonstrates contexts of policy arguments, lobbying and negotiations between different stakeholders, service providers and activists and how these impact the framing of health service delivery in South Africa. She illustrates how policymaking processes on seemingly technical questions also involve policy debates about broader philosophical questions regarding the boundaries and purposes of political communities. Oftentimes, evidence-based decision making or policymaking is considered ideal and should result to knowledge utilisation. However, this is not the case, especially, where there is an ill-fitted relationship between policy goals or intentions and interests. In **Chapter 39**, Grace Akello and Melissa Parker the authors look into how ignorance instead of knowledge utilisation can become a critical resource in informing policy choices and actions. They use the art of not knowing and strategic ignorance conceptions to analyse policy responses to Ebola Virus Disease in Uganda. They use experiences from Sierra Leone to provide policy insights, focusing on the skewed relationships between evidence, policy design and implementation of donor sponsored disease control strategies and policies. Uganda, drawing implications for disease control policies in Africa with references to West Africa and the Democratic Republic of Congo's ebola response experiences. They also demonstrate critical but common deficiencies that characterise the lack of local contexts when addressing disease control by looking at the logic of political action and inter-institutional relations between national and local government institutions and between national and international actors. The chapter concludes by showing how policy preparedness can be differentially shaped by hierarchies of knowledge, biopolitics, and decision making processes. As such, they show a tendency where a local agenda for managing common health threats and making necessary plans to minimise the negative impacts of epidemics is only secondary to development partners and sometimes, to the government.

Part IX is on *Food Security and Social Protection Policies*. Anne Siebert and Julian May's **Chapter 40** conceptualises *Food and Nutrition Security Policies in Africa*. They underscore utmost importance to an engagement with peoples' needs and 'responses from below', including supporting a vital informal food sector before citing recommendations for future food and nutrition security policies in Africa. In **Chapter 41**, Nathanael Ojong and Logan Cochrane discuss another critical policy area in Africa: Social Protection. They are mainly concerned with how cash transfers as one of the modalities of structuring social protection programs. They track their development and expansion across Africa, demonstrating challenges and recommending solutions. Finally, **Chapter 42** by Elizabeth Ngutuku looks into another related social protection concern: child poverty. Focusing on issues around policy framing on child poverty policies, she uses the case of Kenya to examine how diverse knowledge, primarily normative, is marshalled and entangled in different policymaking and implementation moments.

Part X delves into recent policy debates on gender and equal representation and equality. Contributors in this part focus on *Women and Gender in Africa*. **Chapter 43** by Emmanuel Botlhale looks into *Women in Policymaking in Africa*. He argues for reconfiguration of the architecture of gender relations in African public policy processes to represent men and women as equal citizens for inclusive economic growth and development. This followed by Diana Højlund Madsen, Amanda Gouws and Asiyati Lorraine Chiweza's **Chapter 44** on gender-mainstreaming policies in Africa. These authors take stock of gender-mainstreaming failures and successes in selected countries. They specifically focus on the role of national gender machinery and the setting up of gender focal points or gender desks for gender-mainstreaming, and the institutional challenges selected African contexts. In **Chapter 45**, Conradie and Abioseh Bockarie use Sen's (1999) instrumental capabilities to explore how *Women Influence Social Policies in South Africa and Sierra Leone*. They show how women use individual and/or collective agency in development programmes. Finally, Chiedo Nwankwor and Adedeji Adebayo discuss women legislators' role in legislative policymaking in **Chapter 46**. They note that despite significant strides across Africa on the proportion of women in legislative assemblies, the wide gender gap in African legislatures has negative implications for public policy, especially on legislation and implementation of women's rights.

Part XI is on *Crisis Management, Migration and Regional Trade*. In **Chapter 47**, María Mercedes Martínez Carrizo looks into Public Policy and Disaster Management in Africa. By assessing the gradual development of international disaster response laws, rules and principles (IDRL) in Africa, she examines how legal frameworks impact disaster management in Africa at all levels. She argues for the formulation of comprehensive legal frameworks in Africa's disaster preparedness policy agenda. Relatedly, in **Chapter 48**, Alemu Nigusie looks into Migration Policy frameworks in Africa. Alemu argues for an urgent need for policy ownership of the migration discourse, knowledge production and dissemination among Africans considering contextual relevance. Stephen Karangizi and Haruperi Mumbengegwi's **Chapter 49** focuses on the *Evolution of Trade Policy and Regional Integration in Africa*. They note that a successful implementation of trade policies like AfCFTA on a continental scale requires well-coordinated efforts from all stakeholders to address public policy limitations. There is a need for complementarity in economic structures, national policies and private sector stakeholder consultation to formulate reflective trade policies in Africa

Part XII focuses on the *Emerging Policy Issues and Challenges*. Accordingly, in **Chapter 50**, Yeboah-Assiamah Emmanuel, Clement Damoah, Justice Bawole look into Open Innovation, challenges and potential for improving policy effectiveness in Africa. While taking cues from public sector reforms, these authors present what Open Innovation is and how it can be nurtured to enhance public effectiveness in African countries. John Sunday Ojo looks into urbanisation policies under the phenomenon of Megacity in Africa in **Chapter 51**. He conceptualises megacities and interrogates the degree to which Africa's megacities have adopted sustainable urbanism and climate urbanism. As an essentially prescriptive policy analysis, this chapter also seeks to inform future urbanisation policies. In **Chapter 52**, Japheth Ondiek and Gedion Onyango look at environmental policies in light of electronic waste disposal. They find that despite existing policy frameworks and agencies, e-waste regulation still suffers from local institutionalisation deficits, lack of policy coherence and the faulty design of international policy frameworks in African contexts. In **Chapter 53**, Austin Ablo and William Otchere-Darko draw on the relational geography concept of scale to look into emerging policies in petroleum extraction in Africa – local content policies (LCPs). LCPs are government initiatives to enhance linkages between the extractive and national economies; employment creation, enhancement of technology transfer, local ownership,

and maximisation of local procurement are the central goals driving LCPs in Africa. In this chapter, LCPs for selected African countries are reviewed. They note critical challenges, such as little emphasis and enforcement of processes that integrate local actors into the petroleum industry value chain and the limited extent to which LCPs benefit African societies from the petroleum sector. Finally, this volume closes with **Chapter 54**, where Julius Kiiza looks into *The Unintended Industrial Policy Benefits of the COVID-19 Pandemic in Africa*. While attentive to the contribution of, not the attribution to, COVID-19, he establishes that Mauritius and Uganda rediscovered smart industrial policies as policy instruments to promote locally manufactured face masks, ventilators, medicines and other necessities.

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PART I

Research, theory and teaching African public policy



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2

THE SOCIAL SCIENCE FOUNDATIONS OF PUBLIC POLICY IN AFRICA

Liisa Laakso

Introduction

The multiple and sometimes contradictory expectations of African governments, the public and the international community on the role of higher education in development have affected the content and conditions of social sciences in particular. However, the existing research on university education in Africa has focused chiefly on the institutions, i.e., establishing universities, their resources, autonomy and performance (Nwauwa 1993; Kallaway 2020). It has revealed changing motivations in the key actors' decisions to invest in higher education: those of the colonial authorities, the governments of the newly independent states, Cold War superpower blocks and commercial enterprises (Mamdani 2007). Independence, to begin with, was followed by a heated debate of the autonomy vs relevance of universities for the developmental state (Assié-Lumumba 2006). In the 1980s and 1990s, the economic crisis hampered the financing of public universities (Chachage 2006, pp. 49–50). At the beginning of the new Millennium, the universities' different rankings and their reputation and critics of these rankings became almost standard ingredients of all debates of the university sector's performance globally, Africa included (Mohammedbhai 2012).

Less attention has been paid to the continuities and resilience of scholarly work on development challenges in these changing conditions. Public policy combining wide areas of social science knowledge and expertise of other fields is critical in this regard. It is directly linked to governability and expertise necessary for the state authorities' competence and legitimacy domestically and internationally. In that sense, public policy in university education and research provides a unique window to explore the form and content of the interaction between academia and state and trust between them. This chapter examines the creation of specialised social science research institutes of public policy and debates of the relevance and freedom of research in the field from this particular angle. I will first review the literature on the evolution of the social sciences in Africa, paying attention to the inherited traditions guiding their institutionalisation within university faculties and departments.

Social science traditions in Africa

Modern university education was part of the colonial project, however not in any coherent or uniform pattern. The driving forces were the “civilising mission” of colonial authorities and missionaries under their auspices, strengthening the links between metropolises and colonies but also the “native demand of education” in response to the international organisation of the Global South by the League of Nations among others (Matasci, Jerónimo, and Dorez 2020, p. 8). Colonial authorities laid grounds for higher education in Algeria, Egypt, Ethiopia, Ghana, Morocco, Nigeria, Rhodesia, Senegal, Sierra Leone, South Africa, Tunisia and Uganda with branches of metropolitan universities, colleges providing bachelor’s degrees and even a few full standing universities (Ajayi, Goma, and Johnson 1996) representing the then most up-to-date scientific knowledge. According to Héléne Charton, Britain implemented university reforms in the 1940s in East Africa with an explicit focus on social policy and modernisation. The reforms comprised new universities in the region and offered African’s scholarships to study in Britain to build up local elites with strong links to the metropole (Charton 2020). After independence, Britain also introduced specific “study and serve” programs for young British scholars combining fieldwork with short-term teaching duties at African universities. However, although African universities needed teachers, solving the problem by visiting fellows created another problem. Local scholars’ aspirations to develop their academic careers were also seriously frustrated by Foreign “inundation” (McKay 1968, p. 1; Laakso 2020, p. 444).

In the former French colonies, organisations promoting French language and cultural relations included L’Organisation Internationale de la Francophonie (OIF), founded in 1970. The cooperation agreements in higher education comprised exchange programs, financial help to new universities and French teachers’ deployment. According to Samy Mesli, the latter effectively renewed and cemented the French view of Africa’s development in the curricula across disciplines (Mesli 2013).

Colonial powers also brought different academic traditions to Africa, most notably the French or continental tradition and the Anglophone one (Aina 1997). In the first case, social sciences build on the “old” disciplines of philosophy, history and law. This also explains the conceptual and moral profile of Francophone social science research. The focus, however, has been on education and professional training. Francophone Africa’s research intensity and output in social sciences have been lower than that of Anglophone Africa (on the evidence of international scientific indexing, ISI, see Mouton 2010, p. 64). The connection of social sciences to law and jurist education explains the professional focus.

However, significant is also how different branches of higher education are valued in the French tradition. The so-called *grandes écoles* are at the top of the hierarchy. Several of them were established in Africa just before or after independence. In Cameroon, for instance, the *École Nationale d’Administration et de Magistrature* (ENAM), training school for civil servants, emulating the French *École Nationale d’Administration* (ENA), was the first institution of higher education. It was established two years before independence in 1959 and continues to be the most prestigious and secure way to a government job. The ENAM entrance is much more selective than universities, and university studies are often regarded only as preparatory to ENAM. Thus, university students might select disciplines like law, political science or administration in the hope of being able to get into ENAM instead of having an interest in social science research skills.

The Anglophone tradition of social sciences has built on the independent scientific basis of these disciplines and instigated faculties comprised of “original” social science disciplines:

political science, economics and sociology. This tradition was strongly influenced by social-political and epistemological developments in the US in the early 20th century, particularly the Chicago school that emphasised objective, although diverse, social science research methods and a mission to strengthen and improve democratic rule (Platt 1996). Ebrima Sall, in his comprehensive review of the state of social sciences in Africa for the US-based Social Science Research Council in 2003, noted the pre-eminence of the Anglophone tradition in Africa. The disciplines of political science, economics and sociology were the most institutionalised in Africa (Sall 2003, pp. 40–1).

Like elsewhere, the African university disciplines have fragmented into specialised sub-disciplines and integrated into thematic, multidisciplinary fields of social research. This has taken place partly to respond to the demands of labour markets and attract the best students, partly to respond to the emerging and global challenges of sustainable development. Furthermore, continental networks like Afrobarometer, Council for the Development of Social Science Research in Africa (CODESRIA) and the Association of African Universities (AAU) have successfully worked across regional boundaries to enhance the quality of social science research and education. Important initiatives include harmonising university degrees (Kigotho 2015) and an intra-African mobility scheme (Woldegiorgis and Doevenspeck 2015). Despite these developments, the inherited traditions matter and contribute differently to African social scientists' capacities to support and assess government policies in employment, education, health and the environment. Traditions influence research intensity, topics and methodologies used, and the difficult balancing between practical and theoretical research (Chachage 2001).

Public policy research institutes

Along with the growing needs for evidence-based knowledge for policy formulation and implementation, the scope of social science research widened from the predominantly colonial concentration in anthropology or ethnology to development and social policy. Nigerian Institute for Social and Economic Research (NISER) and Makerere Institute of Social Research (MISR) are examples of research institutes that included such new fields in their areas of expertise (Mbalibulha 2013, p. 127). Universities also initiated new institutes like the Institute for Development Studies (IDS) at the University of Nairobi in 1965; the Institute of Statistical, Social and Economic Research (ISSER) at the University of Ghana in 1969; Centre Ivoirien de Recherches Economiques et Sociales (CIRES) at the University of Abidjan in 1971; the Institute of Development Research (IDR) at the Addis Ababa University in 1972; and the Development Studies and Research Centre (DSRC) at the University of Khartoum in 1976 (Rasheed 1994). Moreover, the governments upgraded colonial institutes, in Zambia the Staff Training Colleges to National Institutes of Public Administration (NIPA) in 1966, or established new institutes, like the Namibia Institute of Public Administration and Management (NIPAM) in 2010. These often operated outside the ministry's hierarchies but with precise tasks of providing training to civil servants and evaluation and strategic studies for management and administrative reforms.

While much of the policy-oriented research has been applied social research, African researchers also produced groundbreaking theoretical work. However, the latter has often been overlooked not least by Africans themselves negatively impacting efforts to ensure adequate and context informed academic training, teaching and academic research of African public policy in universities. There have also been only limited efforts to develop adequate approaches for Comparative Public Policy and development that may enhance effective

theorisation (Hyden 2019). The research impact, however, was enhanced by researchers' active role in the discussions and even actual writing of National Development Plans (Rashed 1994). An interesting example in that regard is the Zimbabwe Institute of Development Studies (ZIDS) whose evolving status vis-à-vis the government reveals many challenges in producing independent policy-relevant knowledge for governments.

The government established the institute in 1982, soon after the transition from minority-ruled Southern Rhodesia to majority-ruled Zimbabwe, with close supervision of CODESRIA and international donors' support. Brian Raftopoulos argues that an essential context for this decision was the desire to balance the domination of the white minority at the then sole university in the country (Raftopoulos 2016). The aim was to create a socialist society in Zimbabwe in line with the political program of the ruling party, Zimbabwe African National Union (ZANU). ZIDS started as a parastatal under the Ministry of Manpower Planning and Development and, as the whole public service, attracted liberation movement scholars from exile. Several ZIDS researchers made a career in the civil service, too. Furthermore, ZIDS became an important hub for critical intellectuals from other African countries, not least due to Zimbabwe's high expectations to become a model for South Africa, where the struggle against apartheid continued.

ZIDS's researchers shared a neo-Marxist political economy theoretical approach to development, while their empirical work's policy scope was very broad. In 1987, the institute included six departments: Agriculture and Rural Development; Education and Social Development; Labour Studies; History and Politics; Industry, Science and Technology; and Southern African and International Relations. Towards the end of its first decade, the role of consultancy and studies commissioned by government ministries and donor agencies grew. The economic and political context also changed with the structural adjustment program's (SAP) austerity measures, popular protests by civil society groups including students and the labour union, emergence of new political opposition and increasingly vocal academia.

This background informed the move of ZIDS to the University of Zimbabwe, detaching it physically away from the government premises in Harare city centre. This action particularly added teaching to the institute's tasks. However, above all, it opened new space for independent knowledge production and debates, the significance of which grew amid the economic and political crisis in the country (Raftopoulos 2016). However, eventually, the crisis hampered the universities' economies, resulting in a continuous need to cut the costs by reorganising teaching and research. Simultaneously, the government's strategy to create economic growth by innovation and industrialisation in higher education (Tirivangana 2019) made the political economy approach to development more or less redundant. As a result, there was no more a need for a specialised institute for development. Researchers were integrated into different faculties, and the house of ZIDS in the centre of the university campus was allocated for other purposes. These moves effectively abolished the multidisciplinary critical research community that ZIDS once had been.

The question of relevance

Questions about the relevance of social science research in Africa have centred on state-building, i.e. modernisation, development and self-reliance (Ake 1982). This has had both ideological and practical dimensions. Ideological projects were fuelled by the Cold War rivalry and the superpowers' strategic interests, instrumentalising nationalist and pan-African movements' political aspirations. Practical concerns, in turn, stemmed from the departure of colonial administration and staff, resulting in immediate demand for qualified indigenous

staff in civil service and the private sector. Accordingly, education became one of the priorities for all African governments, and degree programs involving administration and policy studies became more popular than ever before.

These two dimensions – state-building, ideological Cold War rivalry and the practical need to build up a national elite – enhanced local research competence intertwined in the international education aid and scholarship programs. Both the US and the Soviet Union, with its allies, introduced significant scholarship programs for African students – in addition to those of the former colonial powers (Matasci et al. 2020, p. 18). The investments by the US, an emerging global hegemon, to education in Africa were most massive. They included the Fulbright exchange program and support provided by philanthropic foundations like Ford, Rockefeller and Carnegie. The Soviet Union, in turn, established Patrice Lumumba University in Moscow in 1960 to educate students from the Global South in socialist solidarity, among other skills. Its faculties of History and Philology and Law and Economics were most important in this regard (see Katsakioris 2019). Several African presidents and ministers, in addition to university professors, were educated there.

The Cold War competition also motivated neutral countries to enhance their profile. Nordic countries, for instance, became prominent development partners for Southern African Frontline countries in their fight against apartheid rule in, South Africa, in a framework that was distinct of the superpower blocks or former colonies (Selbervik and Nygaard 2006). Scholarship programs extending to the training of the liberation movements SWAPO (South-West Africa People's Organisation) and ANC (African National Congress) officials in administrative skills were a significant part of this cooperation (Sellström 2002, pp. 715–22).

The withering away of the Cold War abolished the ideological role of the socialist block in education aid. However, the development aid regime's underlying importance for policy studies in Africa remained (see Delville 2017). International development organisations and donors have not only been important funders of policy research institutes and “customers” commissioning consultancy from them, but they have also played a key role in the direct formulation of the policies – either through supervision of the African governments based on their own international expertise or by conditioning their aid and loans with reforms epitomised in the SAPs of the World Bank and the International Monetary Fund in the 1980s and 1990s. SAPs instigated lively and critical discussions among African scholars (Campbell 1989; Akindes 1999), contributing to the general African scholarship on democratisation at the end of the Cold War and during the transitions to multiparty electoral systems that followed (Mkandawire 1999).

According to Sadig Rasheed, for instance, the myriad challenges of human development, economic recovery and democratisation meant that Africa's social scientists could not “afford to stay aloof from the realm of policymaking and the possibility of employing the tools and analysis of their trade to offer pragmatic contributions on how to deal with societal problems and challenges” (Rasheed 1994, p. 92). This was also when the first generation of academics educated in Africa entered the field, strengthening indigenous think tanks and locally based social science expertise.

Freedom of public policy research

After independence, universities and higher education in Africa were “widely viewed as a route to national liberation” (Mama 2006, p. 5). Research on political participation, however, was soon regarded by African governments as “irrelevant” and “unfair” (Oyugi 1989). Claude Ake wrote in 1982 that the task of African scholars was to invent an appropriate model of

development for Africa. Nevertheless, since this, by definition, would challenge the existing order, it was also something the African governments were wary of (Ake 1982, p. 193). In 1990 a CODESRIA and Africa Watch conference in Kampala on the role of intellectuals in African politics resulted in the “Kampala Declaration on Intellectual Freedom and Social Responsibility.” It stipulates that “[t]he intellectual community has the responsibility to struggle for and participate in the struggle of the popular forces for their rights and emancipation.”

It is not a coincidence that this was presented at a time of intensifying popular protests demanding democratic opening all over Africa. Evidence also suggests that scholars’ ability to participate in political discussions has contributed to the consolidation of democracy in Africa (Kratou and Laakso 2021). According to the longitudinal worldwide academic freedom index of the Varieties of Democracy (V-Dem) Project that combines expert survey indications of its different dimensions, Africa’s level of academic freedom has continuously improved between 1989 and 2019 (Coppedge et al. 2020), although still below the world average. The improvement has not been uniform, however. A survey by Kwadwo Appiagyei-Atua, Klaus D. Beiter and Terence Karran of the legal protection of academic freedom in African universities confirms disparities between countries (Appiagyei-Atua, Beiter, and Karran 2016, pp. 19–20).

A litmus test of the trust between governments and researchers is the availability of public data and the regulation of research permits. Tanzania adopted in 2018 an amendment to the National Statistics Act regulating the use and collection of official public data, criminalising any publication of statistics without the approval of the National Bureau of Statistics (NBS) or questioning of official statistics of NBS. The stated aim was to ensure the reliability of statistical information. But in practice, this would have hampered the quality of research by making it impossible to verify research results based on NBS statistics by further research using other sources. Scholars both in Tanzania and abroad criticised the amendment violating the African Charter on Statistics. The most significant statement came from the World Bank, according to which “the amendments, if implemented, could have serious impacts on the generation and use of official and non-official statistics, which are a vital foundation for the country’s development” (World Bank 2018). Consequently, in 2019, the government had to reverse the amendment.

Yet in Tanzania, like in many other African countries, a researcher might face multiple constraints to conduct critical research that government authorities responsible for the policy sector in question have imposed. The necessity to obtain research permits is one of them. The process can easily take several months, which is enough to frustrate attempts to produce independent knowledge to the government and the public to benefit decision-making. It also leads to avoidance of politically sensitive research topics because to protect their own position, authorities are not likely to approve anything that even remotely can cause harm to their superiors.

However, already in 1999, Thandika Mkandawire noted that despite the “extremely repressive” conditions, social sciences in Africa “have remained critical and amazingly vibrant” (Mkandawire 1999, p. 24). One prominent example is public policy research, focusing on gender equality, education, health, land and the environment (see Darbon et al. 2019), which are not directly threatened by politically motivated censorship or self-censorship and thus open to original and ambitious theorising.

Impact

Assessing the impact of public policy research is challenging – both in the definition of the impact and its measurement. The impact can be observed in immediate policy objectives

and outcomes and in changing attitudes and practices. Researchers' ability to share new theoretical ideas and analytical concepts with decision-makers or advocacy groups can make them powerful drivers of policy transformations. However, in addition to a shared understanding of the problems the society faces, there needs to be a political motivation to solve them – either an electoral competition, international pressure or internal stability. All these highlight the importance of researchers' ability to build coalitions with the public authorities and beyond.

It is indisputable that impact is important for the quality of research. In their survey on the criteria for assessing research excellence in Africa, Robert Tijssen and Erika Kraemer-Mbula report that social development, awareness of societal issues and direct benefits to disadvantaged communities were among the outcomes researchers from different disciplines and across the continent regarded as the most important criteria. However, they are often overlooked in mainstream research evaluations. Researchers emphasised participatory and action-based approaches, pointing to the need to connect everyday African life and communities utilising the research results (Tijssen and Kraemer-Mbula 2018, pp. 397–8). Such notions are essential for research in the field of public policy.

The importance of the bottom-up approach and social networks involving civil society, family and local communities is echoed in the African Union's Social Policy Framework (African Union 2008). Furthermore, public policy evaluations have frequently identified local control as a critical factor for success (Juma and Clark 1995). Because the inherited colonial approach has equated authority to knowledge and separated policy guidelines from policy implementation, appropriate models for effective use of local talents and capacities have only slowly become part of Africa's mainstream policy planning (e.g., Allen and Perez-Trejo 1992). The dominance of the international donor community aggravates this situation. The donors are often responsible for the formulation of public policy. Yet, they have no competence to implement any policy without governments' approval and support (see Ouma and Adésinà 2019).

Empirical evidence of the outcomes of policy projects supports this view. Sam C. M. Ofori assessed local control in regional level projects to reduce poverty, disadvantage and deprivation in Ghana. He noted that a diversified resource base and "endogenised" development engagement offered the best potential to achieve such policy goals. However, according to him, the hallmark of endogeneity was education within the planning and implementation of the projects. Generation of new knowledge, accumulation of human capital and technical skills training supported technology that proved realistic. This underlines the role of experiential learning and qualitative methodologies (Ofori 2020, p. 316). Similar observations are frequent in policy projects in public health. For instance, a study of health care fees in Burkina Faso concluded that policies assisting the poor to access health services should focus on the strengths of communities in education regarding medical issues that influence their well-being and risks of inappropriate diagnosis and treatment (Dong et al. 2004).

How then have the universities managed to epistemologically develop the discipline of public policy and, more importantly, influence governmental and non-governmental policymakers' behaviours? The experiences of post-1994 South Africa, where the government introduced new social policy based on equality, human rights and social justice, are particularly revealing. One example was the social science research programme on the impact of the HIV/AIDS epidemic on society SAHA (the Social Aspects of HIV/AIDS and Health), including national survey studies, introduced in 2001. Its findings were disseminated in the broader region. Similar studies were implemented in other countries with the Southern Africa Development Community (SADC)'s support, while the researchers in South Africa

were still fighting against HIV denialism among the politicians. By intensive dialogue with the governments, provision of evidence, interventions and recommendations, the research program was able to have a positive impact and help responsible ministries to mitigate the impact of the HIV/AIDS epidemic on vulnerable population groups, like orphans, for instance, in SADC and beyond in Africa (Simbayi 2019). In South Africa, the National Health Insurance Advisory Committee (NHIAC), established in 2009, has advised the government on legislation and HIV/AIDS policy implementation. Similar inclusion of humanities and social and behavioural science expertise has been called for in the government's strategies to combat COVID-19 (Amir Singh 2020).

It is undeniable that democratisation in many African countries has improved policy-makers and advisers' capacities to utilise social science research. This has contributed to improved service delivery, especially in health and education. However, the sustainability of public services additionally requires an environment of economic stability. In response to the increased government spending since the 1990s to the detriment of economic policy reforms, the focus of public policy has shifted from reforming government administrations to economic policies involving the private sector and other stakeholders' roles. For instance, health insurance can reduce affordability barriers for health care and result in greater resources flowing to private facilities, weakening the public sector, which in the long run affects equitable access to different levels of health care (Harris et al. 2011, pp. 119–20). That is why carefully tailored economic policies are pivotal for public policy development and the government's ability to implement policies.

Conclusions

University education and research on public policy and coalition-building between scholars, government, civil society and local communities are critical for social and economic development and government power's legitimacy and accountability. While the institutionalisation of social sciences within African university faculties and departments and special research institutes has been based on the relevance and instrumental value of research and training, this has not happened at the expense of ambitious theorising of development over public policy in Africa. This was evident in the 1970s and 1980s, in particular. Since then, within and after the process of democratisation, even if in a limited form of electoral competition only, the responsiveness of the discipline to African needs and circumstances, endogeneity, has become increasingly important. This has brought epistemological and methodological issues to the centre of policy designs informed by the current African social science knowledge.

The social science foundations of policy research in Africa are characterised by a pluralism of approaches stemming from the different traditions, international and continental networking and rapidly changing political contexts. This pluralism is also evident in institutionalising the discipline and production and use of expertise within it, ranging from special research institutes under the responsible ministries to faculties combining different fields and training programs. Social sciences perspectives provide a multidisciplinary foundation for studying African public policy. Multiple avenues influence practical policy and facilitate cooperation with other sciences like medical anthropology. While social science foundations are essential for public policy, so is its complementary character and compatibility with other relevant disciplines. The active cooperation with development policy agencies, both governmental and non-governmental, domestic and international, has supported public policy's institutionalisation. The increasing attention to the participatory approach has strengthened communities' voice in research and planning directly affecting their lives. Pluralism and

openness to multidisciplinary can enhance innovative methodologies and theorising of African public policy in the future. Of critical importance are the practical conditions of independent social research, resources (in terms of time and adequate infrastructure to do research and publish the results) and academic freedom to access information and data, analyse it and disseminate the findings. These need to be defended and supported in Africa and beyond. Ultimately, scientific excellence is the best guarantor of public policy's relevance and instrumental value for policymakers.

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3

RESEARCHING AND TEACHING PUBLIC POLICY AND GOVERNANCE IN AFRICA

Chris Tapscott

Introduction

Together with the influence of neo-colonial relations, neoliberalism, and globalisation, the legacy of colonial rule impacts public policy and governance in African states profoundly. Unsurprisingly in the context of public administration, these factors also play a significant role in the academic realm, shaping the content and context of teaching and research and leading to a considerable degree of isomorphic mimicry in their adherence to theories and methodologies from the global North. In large part, this can be ascribed to colonial states' structure and the economic and administrative paths prescribed for them as a conditionality of aid in the post-colonial era. These paths were subsequently validated in the curricula taught in national educational institutions and the research supported by national and international funding agencies. Academically, this poses ontological and epistemological challenges, hence a disconnect between the normative administrative models imparted to students through formal learning programmes and the realities of policy and governance experienced in practice.

This chapter looks broadly at the historical factors that shaped state formation and administrative practices in post-colonial Africa. The analysis considers how public policy and governance are taught and researched in African institutions, and reflects on African academics' challenges in developing curricula and researching their national context. In so doing, it considers ways in which scholars might retain the essence of key theoretical precepts and, at the same time, adapt them to local circumstances. It also argues for a stronger pan-African focus in developing teaching material and conducting research that traverses linguistic and geographic boundaries.

From the onset, it is necessary to begin with a disclaimer. This relates to the challenge confronting any summative study of administrative policies and practices in Africa, namely, presenting the experiences of different African states as if they are homogeneous. Such an approach opens itself to criticism of superficial generalisation. It also runs the risk of reinforcing stereotypes of what is a highly diverse and fast transforming continent. The exercise is further constrained by linguistic barriers that limit access to critical research and academic texts, which might add nuance to the analysis of policy and governance systems in different countries. The discussion below represents no more than a schematic overview of trends in the research and teaching of policy and governance across Africa, hoping that it will serve as a stimulus to a more extensive analysis in the future.

The enduring legacy of colonialism

The impact of colonialism and neo-colonialism on the African state and political and social economy structure has been discussed exhaustively (e.g., Nkrumah 1965; Rodney 1982) to the extent that the subject may now seem *passé*. However, given its enduring legacy, it is essential to reference this history when analysing the current teaching and research trajectory on public policy and governance in Africa.

Notwithstanding some variance in the policies of different powers, the imperialist ambitions of colonialism were generally concentrated on the extraction of primary resources, the installation of basic infrastructure (railways and ports) to facilitate this and of control the indigenous population. Due to this limited remit, Chabal and Daloz argue that colonial states were never formally institutionalised. In the rural areas, where the bulk of the population resided, they assigned considerable discretionary power to local officials and exercised administrative power through the indirect rule of traditional authorities (Chabal and Daloz 1999, p. 4). Education in this context was afforded little importance, and its primary objective, according to Walter Rodney, “was to train Africans to help man the local administration at the lowest ranks and ... to instil a sense of deference towards all that was European and capitalist” (Rodney 1982, p. 240).

Although there had been faltering steps to promote self-rule in some colonies in the aftermath of World War II (notably by the British), these initiatives mainly envisaged a protracted process with no specific end date (Brookfield 1975). Consequently, when the decolonisation process began in earnest in the 1960s, most African states were woefully ill-prepared for statehood in regard to their economic development, public institutions, and the number of skilled personnel at their disposal. Furthermore, from a Weberian perspective, the colonial state, having never been formally bureaucratized, was not sufficiently emancipated from society to enable the public service to operate independently of social pressure constraints and ethnicity and kinship ties (Chabal and Daloz 1999). Together with the artificial nature of colonial boundaries, this reality presented a severe constraint to nation-building in the post-colonial era.

Notwithstanding this reality, there was a conviction amongst former colonial powers, the United States, and multi-lateral funding agencies (the World Bank in particular) that Africa’s economic development could be fast-tracked like war-torn Europe after 1945. They were guided by the principles of modernisation theory, given their contemporary expression by Talcott Parsons (Parsons and Shils 1951). Based predominantly on trends in Europe and North America, the modernisation theorists described what they saw in some states as a form of economic dualism that consisted of an agricultural sector that was labour intensive and a modern or industrial sector that was capital intensive. The economic dualism theories that emerged to describe this phenomenon attempted to combine into one system, the development of an advanced and a backward economy (Brookfield 1975, p. 58).

The modernisation concept was most clearly articulated in WW Rostow’s *The Stages of Economic Growth* which became a highly influential text in the development realm following its publication in 1960 (Brookfield 1975). Basing his assumptions on what he believed to be observable principles of historical development, Rostow identified all countries as falling within one of five categories: “the traditional society, the preconditions for take-off, the take-off, the drive to maturity, and the age of high mass consumption” (Rostow 1960, p. 4). He believed that the most developing countries fell within the first of these categories. The preconditions for their take-off could be created by a rise in the rate of productive investment (through foreign aid and local savings), the importation of modern technology (to stimulate an industrial revolution), and support for the emergence of a new elite. The

emphasis on elites formed the basis of the “trickle-down” thesis, which supposed that the benefits derived from capital poured into the urban top would logically filter down to the rural roots. The priority attached to the economic development of cities was based on the belief that the emergence of a motivated minority was essential for generating savings and investments necessary to get emerging economies off the ground. Significantly, the need to develop the preconditions for economic growth was a principle widely adopted in aid programmes implemented in Africa throughout the First Development Decade. Rostow and his contemporaries established economics (to the virtual exclusion of other disciplines) as the key to progress in post-colonial states.

In contrast, public administration theory, which had yet to achieve similar prominence in the global North, proceeded according to a positivist logic that viewed policy formulation as a largely technocratic exercise, best addressed through the application of rational decision-making models. Furthermore, premised on an idealised Weberian principle, policymaking was viewed as a process distinct from politics and as largely the responsibility of public officials (Pollitt and Bouckaert 2011). Thus, whilst there was talk of the need for good government’ in African states, this was understood as the degree to which their policymaking and administration systems most closely emulated practices in the former colonial powers (Seidler 2016, p. 159). As shall be discussed, the concept of governance had yet to enter the discourse on public administration and policy formulation.

Adding complexity to decolonisation, the transition to independence took place at the height of the ideological struggles of the cold war. In this milieu, newly independent countries in Africa were encouraged to adopt models of economic development administration advanced by Western states (and, to a lesser extent, by the former Soviet Union and Communist Bloc). Indeed, this was generally a precondition for the receipt of foreign aid. In this context, it should perhaps come as no surprise that Rostow’s *Stages of Economic Growth* was subtitled “a non-communist manifesto”. During this period, allegiance to the West and a commitment to capitalism took precedence over democracy, autocratic rule, and even corruption. Thus, in a quest to sustain their sphere of political and economic influence, former colonial powers and other Western states continued to support despotic leaders such as Mobutu in Zaire, Eyadéma in Togo, and Bokassa in the Central African Republic throughout the first two decades of the post-colonial era and beyond.

Notwithstanding increased technical and financial assistance from the global North from the 1960s onwards, post-colonial governments in Africa generally struggled to develop effective public services. They were equally unsuccessful in addressing the multiple challenges of statehood and nation-building inherited from their colonial masters. In many respects, as Chabal and Daloz have pointed out, this was to be expected since the existence of a Weberian bureaucratic state in colonial Africa was “essentially a myth of the colonial mission, and there was never much chance it would survive at independence” (Chabal and Daloz 1999, p. 12). The reasons for these shortcomings were multiple and included unequal terms of trade, poor infrastructure, weak institutions, underdeveloped economies, a limited pool of skilled officials, inter-ethnic struggles (accentuated by the divide-and-rule strategies of colonial rule), and elite corruption. This is not to ignore the agency of African leaders in the process or to condone corrupt and authoritarian rule, but rather to suggest that post-colonial states’ structure and form provided an enabling environment for these to occur.

By the late 1970s, confronted with a succession of coups, failing states, generally weak economic growth and limited poverty reduction, multi-lateral and bi-lateral development agencies began pushing for reform of the administrative systems promoted in states across Africa. As had been the case in the immediate post-colonial era, the focus of these reforms

was, in the first instance, on the economy and this tracked neoliberal trends in the North. The most far-reaching reforms imposed as a conditionality of aid were the Structural Adjustment Programmes (SAPs) which entailed downsizing the state, reducing government expenditure and other measures intended to introduce tighter fiscal control and promote economic stability. As the literature reveals, the SAPs and subsequently New Public Management (NPM) did little to stimulate economic growth and, in many instances, aggravated poverty (Olowu 1999; Manning 2001).

Furthermore, as the cold war and the influence of the Soviet bloc in Africa waned in the 1980s, international funding agencies and donors' attention shifted to the need for greater political accountability and more effective governance in aid-recipient states. In so doing, what had been viewed as the technocratic process of policy formulation now included the need for the rule of law, transparency, efficiency, effectiveness, and equity, amongst other variables of good governance. Henceforth, policy formulation in Africa was seen to form part of good governance and was premised on the idea that this should replicate "best practices" in economically advanced states in the North. Considerably less thought was given to the development of administrative models that might better suit conditions in Africa. As a result, prospects for the emergence of indigenous forms of public administration theory in the post-colonial era were by no means propitious.

The enduring hegemony of Northern theory

Over the past two decades, multiple scholars have underscored the disjuncture between the policies prescribed as a conditionality of aid (and validated in public administration theory) and African administrators' socio-cultural, political, and economic realities on the ground. The source of this disjuncture, Amoah avers, is an ontological one since "public administration, as theorised and practised at present does not actively take into account, and indeed ignores, the African worldview [and] is undoubtedly the product of Euro-American ontological grounding with its universalising, totalising, and hegemonic orientation" (Amoah 2012, p. 397). Notwithstanding the implicit universalising in Amoah's own projection of an all-embracing African ontology, it is not in dispute that the orthodox literature on public policy studied in the global South has its roots in Northern theory and that this continues to infuse and shape academic thought in Africa.

It remains a truism, certainly, in the Anglophone world, that administrative theory (and certainly the most influential) has been derived from experience in the global North. Where theoretical attention has focused on transitional states, their activities, and typically their shortcomings, are all too often analysed in terms of their deviation from accepted norms in the North. This is not to suggest Northern theorising is irrelevant to the South; much clearly retains universal validity. However, the normative bent of much of the theory continues to be inherently a-historical and a-political. It largely ignores the complexity of transitional states in Africa, Latin America, and elsewhere. In that regard, as is so often the case, the latent weaknesses of meta-theory in the social and political sciences remain the fact that it lacks empirical validation across different social, political, and historical contexts.

There is, in practice, a hermetic dimension to public administration theorising. Even the most cursory review of top public administration journals in North America and Europe will, with several notable exceptions, reveal that most articles published deal with issues in the global North (Hou et al. 2011)¹. In contrast, issues relating to the public sector in states elsewhere globally, although comprising close to three-quarters of the global population, receive only passing mention. It is also the case that by the time contemporary theories and

models of public administration have filtered down from Europe and the United States to African states, they are often on the way out in the countries from which they originated. This was evident in modernisation theory, New Public Management (NPM), and other best practices models in Africa.

The good governance agenda and public policy in Africa

The disconnect between the theory and praxis of public policy is perhaps most explicit in the concept of governance, which is now understood to form an integral part of policy formulation and implementation. The idea of good governance rose to prominence in the developing domain following the release in 1989² of a World Bank report which set out what were believed to be the reasons why African states were mismanaged; their economies were failing and poverty was growing (World Bank 1989). Following this analysis, the shortcomings of African states were attributed to weak institutions, bloated and ineffective bureaucracies, weak or non-existent regulatory systems, corruption, and a lack of political accountability. Henceforth, improvements in governance systems became a conditionality of aid. As Mkandawire has observed, the term “governance” has become a mantra in the development business, which is presented as a new truth which “must be hammered into the benighted minds of African policymakers [who] often consider it as one more item on the list of aid conditionalities” (Mkandawire 2007, p. 679).

As with the imposition of previous models, good governance has often been projected as a normative end state to which developing countries must aspire. Their progress towards this goal is measured against a Northern ideal and a predetermined set of indicators. However, missing from much of this analysis is a discussion of how long it took Northern states to reach this ideal form of governance, that they had no normative goal of good governance to which they were striving, and that they took many paths in their quest to improve public sector performance (Chabal and Daloz 1999, p. 14). Consequently, the conventional understanding of good governance is a retrospective one that includes an ensemble of different measures adopted by different players at different times. Furthermore, as research by several scholars has shown (e.g., Grindle 2004), not all criteria now specified as preconditions for good governance were followed by Northern states.

The limited successes of what has been termed “the good governance agenda” over the past two decades has prompted various revisionist studies that critically assess the premises on which the notion of governance is based. In this vein, Brinkerhoff and Goldsmith (2005) have argued that the most developing states suffer from institutional dualism in this vein. That is a disjuncture between the formalistic elements of good governance (which include strong institutional oversight mechanism) and pre-existing and deeply embedded cultural and administrative practices which shape how the public sector is run. They maintain that whilst certain elements of traditional practice such as ineffective service delivery, weak economic competitiveness, and limited democratic participation and accountability are responsible for a range of ills in developing and former socialist countries, not all informal governance systems produce adverse outcomes, and many are better suited to the prevailing socio-cultural system. They argue that the distinction between good and bad governance in this context represents something of a false dichotomy.

Other scholars now argue for an approach that considers the socio-cultural and political realities of African states and that it is not possible, nor indeed desirable, to emulate Northern models of governance. Grindle (2004), for example, suggests the need for “good enough governance”, which focuses on a few key aspects of governance that might feasibly

be achieved within the political and administrative realities of a developing state. More radically, Booth (2011) suggests the need to “go with the grain” rather than to “swim against the tide”. He suggests that dominant patrimonial practices in most African states and elaborate systems of clientelism and patronage deeply embedded in society will not easily be supplanted. He suggests working with these systems rather than against them in a progressive change process, supporting practices that lead to better service delivery and accountability and ignoring those that do not.

Expanding on this theme, Delville and Ayimpam (2018) call for closer interaction between those studying public policy and social anthropologists who can provide insight into the historical, socio-cultural, and political contexts that shape how decision-making occurs in the public sector. It is, they maintain,

a question of looking into the relationships between the various actors who define and implement the response to public and collective problems, by seriously taking into account the links between *policies*, *politics* and *politiques* as well as the relatively low degree of institutionalisation – resulting from a strong political influence on organisations and a high personalisation of their agents’ practices – and extraversion strategies.

(p. 8)

Nevertheless, such an approach does not represent a call for cultural or national relativism that recognises no common or normative dimensions of governance but proposes that local contexts need to be taken seriously to analyse policy processes in Africa.

Teaching public policy and governance in Africa

Due to the precipitous way decolonisation took place in Africa in the 1960s and 1970s and the fact that the education of the indigenous population had never been a priority for colonial powers, few countries had the educational institutions and personnel necessary to support the process of nation-building and economic development. Most, consequently, remained heavily reliant on educators from former colonial powers and others seconded by sympathetic Northern states. This meant there was a continuity in the curricula and pedagogy of academic programmes for public policy and administration, if these even existed, and in the training provided to public officials. Simultaneously, young academics and officials were given scholarships to further their studies in the North.

In a few socialist states, such as Tanzania and Mozambique, officials were also sent to countries in the Soviet bloc for training. In former Francophone colonies, public officials’ training was and still is based on the model of the French *Ecole Nationale d’Administration*, which provides expertise, and elite, training to current and prospective senior civil servants. Overall, teaching and training public administration in the aftermath of decolonisation continued to track trends in the global North and was framed within the dominant theoretical paradigms of the time in a trend that continues today.

There is considerable variance in how policy and governance in tertiary education institutions are taught and researched both within and between African states. Once again, this is influenced more by the colonial legacy of their colonial pasts than by the emergence of indigenous epistemologies of public policy and the administration. Instead, forms of institutional isomorphism have emerged, reinforcing adherence to common standards or perceived best practices in the North. A summary review of post-graduate public administration curricula at universities in select Anglophone countries in Africa, for example, reveals that,

some local content notwithstanding, most are bench marked against what might be considered normative offerings in the United States, the United Kingdom, Australia, and other English-speaking countries.

This trend has been aggravated by the growing global commodification of tertiary education, the totalising effect of which is a source of concern in academic communities throughout the world. Over and above the fact that an individual's access to tertiary education is more than ever determined by affordability, and hence by class, the proliferation of online courses offered internationally by universities in the global North reinforces the notion that academic programmes are value-neutral and hence may unproblematically be transferred from one country to another. Furthermore, whilst there has been some convergence between the graduate and post-graduate programmes on offer in Africa and those in the global North, this is an asymmetrical one that reinforces normative Northern understandings of public policy and governance rather than incorporating the experience of public administrators in Africa.

The totalising threat posed by globalisation and the growing commercialisation of tertiary education have also reinvigorated long-standing calls by scholars to decolonise African education and develop curricula informed by indigenous ontologies and epistemologies, especially in the study of government. However, despite consensus on the need for transformation of public administration and the strengthening of public policy as a subject, there is considerably less certainty on how this is to be achieved. Partly, this is due to a lack of conceptual clarity and partly to the lack of a strategic programme of action to address the challenge.

In some conceptualisations, scholars have been drawn towards a form of millennialism that harkens back to a past ordered by "original African values and culture" (Matsiliza 2020, p. 296) and which proposes that "re-founding the administrative systems based on African values is likely to be the answer to the development challenges bewildering the continent" (Basheka 2015, p. 481). Mbembe (2015) cautions against confusing the process of decolonisation with that of Africanisation which he views as an ideological project that, of necessity, occurred as part of nation-building in the immediate post-colonial era.

This version of Africanisation, he maintains, was appropriated by new ruling elites and reproduced in forms of narrow nationalism to the extent that it became an "ideology masking what fundamentally was a 'racketeering' or predatory project – what we call today 'looting'" (Mbembe 2015, p. 33). In its place, Mbembe calls for a more emancipatory form of decolonisation that seeks to recentre African identity in African education, that challenges the growing hegemony of global elites, and imagines a more inclusive social order. Rather than the exclusivity of conventional Northern university education founded on strict and exclusory disciplinary boundaries, Mbembe thus advocates for what he terms a pluriversity. That is

a process of knowledge production that is open to epistemic diversity. It is a process that does not necessarily abandon the notion of universal knowledge for humanity, but which embraces it via a horizontal strategy of openness to dialogue among different epistemic traditions.

(Mbembe 2015, p. 37)

The intellectual task envisioned by Mbembe is considerable. However, he warns that "if we do not develop a complex understanding of the nature of what we are actually facing, we will end up with the same old techno-bureaucratic fixes that have led us, in the first place, to the current cul-de-sac" (Mbembe 2016, p. 31).

Thus, the conceptualisation and development of a more Afro-centric version of public administration will necessitate a prolonged and concerted intellectual process involving academics from across the continent and from within the African diaspora, and non-African scholars sympathetic to the cause. It will be essential to understand the strengths and weakness of the epistemologies that may need to be adapted or changed in the process. This will entail a critical analysis of the theoretical paradigms and models that constitute the current mainstream of orthodox public administration and assess the extent to which they might have explanatory and predictive power in African contexts. That stated, in an increasingly interconnected world with extensive social, political, and economic transactions, such an exercise would not imply the dismissal of existing theory but rather the adaptation and broadening of its scope to local circumstances. Principal-agent theory, for example, clearly has some universally explicatory relevance. However, in an African context, where patrimonial relations often penetrate public institutions, the categorisation of a principal and an agent could differ significantly from conventional understandings of the concepts. What is called for is the type of critical examination as conducted by Ayeé (2008) in assessing the relevance of such key conceptual frameworks as agency theory, transaction theory, and public choice theory in his of analysing public sector reforms in Africa. By carefully examining the core tenets of these theories, Ayeé identified those elements that he considered to have explanatory and predictive power and those that did not. Regrettably, he stopped short of proposing alternatives to these theoretical frameworks or suggesting ways in which they might be adapted to explain trends in African states better.

Broadening the case base to include experiences from Africa and elsewhere in the developing world would also unquestionably benefit public administration theory more broadly, testing the extent to which the premises of theoretical models based on Northern experience have explanatory or predictive value in the global South. For example, through this process, some theory may be found to have relevance in the North but not in Africa, whilst other theoretical models might pertain solely to indigenous contexts. Over and above the need to deconstruct and reassess the relevance of orthodox theory, there is a need to move away from a narrow technocratic focus on organisational structure, administrative systems, and managerialism. There is also a need to expand the academic ambit of public administration and policy analysis to include the socio-cultural, political, economic, and geopolitical contexts in which state institutions operate and in which policy is formulated and implemented. It is certain, however, that, developing more Afro-centric epistemologies of policy and governance will require vigorous research and herein lies a further, although not insurmountable, challenge.

The limited research base of public policy and administration in Africa

Despite the recognised need to maintain a virtuous circle between research and teaching, academics in many tertiary institutions in Africa struggle to research public policy and governance and publish their findings. This is attributable to various factors, including heavy teaching loads, a lack of mentorship, and a shortage of research funding. A study published by Kasozi in 2017, for example, reported that Ugandan universities allocated no more than 5% of their annual institutional budget to research and were consequently unable to fulfil “their multiple functions of research, innovation, training and public service” (Kasozi 2017, p. 1). This deficit he attributed to the governance of universities and to the fact that “most stakeholders, including the controllers of the state, administrators, university managers, academic staff, parents and the general public see the major function of universities as training for the labour market” (Kasozi 2017, p. 2). The constraints to research imposed by

an instrumentalist focus of this nature inevitably inhibit innovation and the quest for indigenous solutions to local problems.

Similarly, even though governing elites may justifiably decry the imposition of foreign models of policymaking and governance, they display considerably less interest in funding research that might support the development of indigenous theories and models as an alternative to the hegemony of Northern thinking. As a result, with a few notable exceptions, academics across Africa struggle to access research funding, with a few notable exceptions. Although this is a constraint facing all disciplines, it is especially challenging in the social sciences, which encompass politics and public administration. In part, this is due to the preponderance of support from donor agencies for research relating to health, agriculture, information technology, climate change, and other science-based topics. It is also because governments are reluctant to support research which might expose weakness in their own administrative and regulatory oversight systems.

There is, consequently, limited national funding available to undertake either in-country research or comparative research across other African countries on issues relating to public policy and governance. Although some international donor agencies support bi-lateral and multi-lateral research in this realm, the scope is generally limited to one or two countries. There is also irony that comparative studies intended to advance new epistemic communities in the global South typically only advance when funded and anchored through the solidarity of research partners in the North.

African scholars also confront a range of operational challenges in their endeavours to undertake empirical research on public policy and governance. Gaining access to public institutions is tightly regulated in many countries, and limitations are set on the type of investigation permissible and the information that may be reported on. Post-graduate students, for example, are frequently required to apply for permits that prescribe where, when, and what type of research they may undertake. There is also the danger of speaking truth to power in a context where scholars rely on state-sponsored grants or, more commonly, are employed in state-funded universities. Accordingly, whether real or imagined, there are fears that research that is “sensitive” or too critical of public policy failures (particularly that which exposes political corruption) could lead to various forms of censure, including a loss of employment or prosecution. Whilst threats of this nature emanate primarily from the state, the management of research institutes themselves may encourage self-censure by researchers for fear of raising the ire of governing elites or of jeopardising access to state funding (Kasozi 2017, p. 4).

Researchers face further constraints in accessing relevant and current literature. Whilst access to online journals and other databases potentially alleviates this problem, many African universities cannot afford a full bouquet of online journals and e-books. Their range is limited, and those that are available are often dated. The university ranking system, yet another imported product of globalization, imposes a further limitation by promoting competition between institutions, which acts as a disincentive to collaborative research.

Consequently, there is limited potential to build up a critical mass of scholars working on related themes and research becomes atomised in isolated teaching departments and centres. If this occurs, it can negatively impact the advancement of young academics who need broad exposure to the field to expand their knowledge of current trends in the discipline and build their confidence. The fact that so little research is being undertaken also limits the knowledge of lecturers and their ability to make real the subject matter, they are teaching, including public policy. A lack of exposure to the operation of the public sector reduces the prospect of their using case studies to illustrate how states function administratively. It also limits prospects for critical analysis of the modes of policy formulation and governance

pursued both within and between different states, and increases the likelihood that lecturers will fall back on orthodox public administration texts to design their own teaching courses.

Paradoxically, notwithstanding the disruption and suffering it has wrought, the advent of the Covid-19 pandemic has pointed to ways in which African scholars might circumvent some of the challenges faced when conducting comparative studies on public policy and governance in states across the continent. Online platforms have shown how academic activities, including research, may be conducted virtually and need no longer be constrained by travel costs, both within and between states in Africa. Here the solidarity of Northern partners could come into play, supporting the strengthening of digital platforms and increasing access to free and open-source literature. However, the ultimate responsibility for conducting research and developing new epistemologies and new curricula rests with African scholars themselves and in this undertaking, it is certain they cannot operate alone.

Conclusion

Despite relatively slow progress in developing context-specific models for teaching and researching public policy and governance in Africa, an important discursive space has opened on the need for this to happen. However, whilst there is widespread acceptance amongst African academics and students alike on the need to recentre public policy and administration teaching and research, the mere stating of this need will not bring about the necessary change. What is called for is a concerted, collaborative effort by institutions both within and between countries across Africa since, as Mbembe emphasises, “[d]ecolonizing an African university requires a geographical imagination that extends well beyond the confines of the nation-state” (Mbembe 2016, p. 36). This will require developing a broad research agenda by public policy and administration scholars throughout Africa and establishing epistemic communities that look at different facets of the challenge facing teaching and research in policy and governance. Such an initiative would also aim to build the confidence of young African scholars that the ontological and epistemological frameworks adopted in their teaching and research are *sui generis* and are as valid as those taught in the global North.

An exercise of this nature and scale will not be a quick fix but rather an ongoing process that aims to address the legacy of the past by developing forms of public policy and administration scholarship appropriate to positioning African states in the new global order. The initiative will require a more decisive role in mobilising scholars by regional and continental bodies such as the African Association for Public Administration and Management (AAPAM), the Association of Southern African Schools and Departments of Public Administration and Management (ASSADPAM), and the South African Association of Public Administration and Management (SAAPAM), amongst other such structures. Whilst the establishment of this type of collaboration might, in the first instance, be virtual, it is likely to gain publicity and further support with the publication of innovative research.

It will also be necessary to combine initiatives on re-centring African public administration with ongoing projects to decolonise education and knowledge in Africa more broadly. In so doing, it will be possible to draw on the important work already underway in many research and teaching institutions across the continent, including the Makerere Institute of Social Research (MISR) in Uganda, the Council for the Development of Social Science Research in Africa (CODESRIA) in Senegal, Laboratoire d’Etudes et de Recherche sur les Dynamiques Sociales et le Développement Local (LASDEL) in Benin, and several universities and research institutes in South Africa. To date, however, efforts in this direction have been limited and disjointed.

Further support can be elicited from sympathetic funding agencies and academic institutions in the North, many of which have come to recognise the importance of building research linkages with partners in the South and the need to expose their students to alternative ways of thinking about global challenges. However, the agendas developed in such partnerships will need to be developed collaboratively and accurately reflect the research priorities of African academics, a process which did not always occur in the past. In the final analysis it should be unequivocal for all involved, that the objective of this undertaking is not merely academic but rather that it forms part of a broader goal of developing systems of governance and public policy formulation which are contextually relevant and best serve the needs of the African continent.

Notes

- 1 A notable exception in this respect is the increasing number of articles published by Chinese scholars, reflecting the growing influence of China on the global geo-political order.
- 2 Given its current prominence in the policy domain, it is surprising how recently the idea of governance entered the realm of public debate, having first surfaced as a distinct concept in the late 1970s and 1980s.

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4

THEORISING PUBLIC POLICY IN AFRICA

Goran Hyden

Introduction

Public policy generally refers to the intended intervention by a government agency to improve conditions in society. Such policy is public because it is proposed and carried out by institutions representing the public at large. It is also public because it is acted upon in the public realm, i.e. the sphere that is open to everyone and thrives on transparency and accountability. In democratic countries, policies are typically contested. The making of public policy, therefore, is embedded in competitive politics. Multiple stakeholders may participate in the process of producing government policy, an activity that goes through several phases: (a) problem identification and definition, (b) agenda-setting, (c) formulation, (d) implementation and (e) evaluation. Many textbooks have been written on public policy and its various phases, mainly from an American or European experience. The Instructor in a course titled Public Policy 101 would put together the reading drawn from this list of textbooks.

Of concern here is not which books are chosen but what this literature has in common. Public policy is expressly about values – “who gets what, when and how”, as Harold Lasswell (1958), one of the pioneers of policy studies, famously put it. Public policy is further characterised by argumentation (Fischer and Forester 1993) and persuasion, e.g. through advocacy networks (Sabatier and Jenkins-Smith 1993). Finding an economically optimal solution to a given problem, therefore, is an illusion (Lindblom 1959) because policy is the result of a political compromise, and unanticipated outcomes are often as prominent as those originally planned due to the complex nature of the process of making policy (Cohen, March and Olsen 1972).

Despite the ambiguity and complexity that characterises policymaking, there is a tendency among theorists to simplify the exercise of teaching the subject matter by lifting policy out of its political context. The latter is externalised in favour of an account of what policymaking ought to be. This approach which is at the same time descriptive and prescriptive tells us what making public policy ideally ought to be but leaves us in the dark about how you get there. This point is particularly valid for the African region with its colonial legacy and donor hegemony. For these reasons, countries in sub-Saharan Africa are especially vulnerable to imitation rather than innovation regarding finding the institutional pathways to effective and legitimate forms of public policymaking. It has only slowly dawned on

consultants and donors that reinforcing the institutional landscape in the image of Africa's former colonial masters is inadequate, a point that has been convincingly put to rest in an exhaustive study of attempts at institutional reform in developing countries (Andrews 2013).

It is against this background that theorising public policy in the African context takes on special significance. Theory is crucial for understanding and a key to effective action. It is useful not only in the classroom but also in the public office. If properly applied, a theory is an intellectual incentive for better understanding while also serving as a guide for practical action. So, what are the primary issues that theorising about public policy in Africa should address? To shift the thinking from imitation to innovation, three issues stand out as special relevance: (1) what is "public" in African countries? (2) what is, in a developing country context, an "institution"? and (3) how is "human agency" best understood in African policy settings? This chapter will begin by discussing each of these questions before identifying some of the challenges facing public policy theorists in Africa today.

What is "public" in African countries?

To answer this question, it is necessary to go back to the original theory of the "public sphere" as defined by the German theorist Jürgen Habermas ([1962]1989). It postulates that it is the sphere in which private citizens come together with the government to deliberate matters of "common concern". These concerns come and go but reflect what citizens in a democratic and deliberative manner deem to be issues to handle outside the private realm. Thus, the boundary between "private" and "public" keeps changing depending on what individuals or government is ready to consider outside the domestic private sphere. The rise of feminism is a case in point because it brought onto the public agenda a series of previously treated issues as domestic and private (Mansfield 1993). The public sphere, as defined by Habermas and proponents of deliberative democracy (e.g. Dryzek 2000), is different from such concepts as a "state", "economy" or "society". Although the public sphere reflects the nature of how society, economy and state are constituted, it is different and maybe best described as the "software" by which a country is governed, i.e. ideas that circulate in the public media – these days, including virtual platforms – and thus help shape public opinion. In the early days of bourgeois society in Europe – Habermas' empirical reference point – the public sphere thrived in urban coffee houses and discussion circles. Even though these institutions in the beginning hardly reflected all citizens, the public sphere grew in strength thanks to its democratic or "bottom-up" character. As the working class and other voices were gradually added, the public sphere became the principal bastion in defence of democracy. Wherever democratic governance tends to be sturdy today, the prime explanatory variable is the presence of a strong public sphere or realm. The common concern is the defence of values that transcend economic interests and cultural identities.

There are two reasons why the public sphere has gained institutional strength in European countries. The first is that it has evolved in tune with an economic development that has laid the conditions for a positive-sum form of politics. Owners of wealth and less privileged groups, whether in manufacturing or on the land, have come to accept that compromises that may be sub-optimal for each group are better overall for everybody. The second is that it is the product of creating nation-states where groups of citizens have been in the lead of social transformation. It is no coincidence that democratic governance grew strong initially in European countries in which the sense of belonging to the nation was already strong. Even if countries like Britain and those in Scandinavia were monarchies, they underwent a peaceful transition to parliamentary democracies. It is in these countries that the public realm has

proved to be the strongest. They contrast with Germany, Italy and Spain, where nationhood was weak, and systems of fascist rule developed to address the dual challenges of building the nation and accelerating economic development. In these places, the public realm was hijacked by “strong man” rulers. A truly public sphere did not develop in Germany and Italy until after fascism had been militarily defeated.

The story of the growth of a public sphere in Europe places what is happening in Africa in perspective. It resembles much more the trajectory of Germany and Italy than it does Britain and the Scandinavian countries, although the latter are the ones who, since independence, have been trying harder than anybody else to promote the conditions for the growth of a public sphere in Africa. Thus, three factors help explain the challenges of developing a functioning public sphere in these countries. The first is that the institutions around which the growth of a public sphere is being built were imposed by colonial powers as a governance layer above already existing indigenous institutions, whether the latter were constituted as kingdoms, chiefdoms or societies ruled by councils of elders. The second is that African countries have been created as state-nations, i.e. societies in which the state is being used as an instrument to foment a sense of national belonging. The third is that accelerating economic development takes on greater importance than promoting democratic forms of governance.

The colonial origin

The emergence of a public sphere in Africa has been a much more contested process because it came with colonial occupation and the modernisation of society that it entailed. Africans were originally denied the civic rights that constitute the basis of such a public sphere, and it was only when they began to demand these rights that the public sphere began to take shape. Thus, African nationalists took part in the political system that the colonial powers opened for local African participation towards the end of their rule. Their legitimacy as leaders after independence rested largely on their political victory in a political system with an incipient but still weak public sphere. Their commitment to the colonial state institutions around which the public sphere was emerging was weak. As Ekeh (1975) convincingly argued, the loyalty among the Africans, including their leaders, was not to the emerging civic public realm but to the “primordial” (communal) realm of their ethnic group. This became evident in the post-independence period when political leaders were elected to serve as “patrons” to deliver goods to their ethnic brethren. A conflict of values undermined the civic public sphere, which was turned into a resource for distributing funds to the various communal groups. As Ekeh also notes, in African societies, it is the communal realm that enjoys the greatest legitimacy as has been vividly illustrated across the region, e.g. in the prevalence of widespread corruption. The latter has not been merely cases of deviant individual behaviour. On the contrary, corruption is a structural issue with roots in the normative disconnect between the civic and communal spheres. The most important consequence is that public policy tends to be assessed through the communal lens.

The state-nation

This means that the strongest governance challenge in African countries is how to transcend the boundaries of the communal realm. Because the state institutions inherited from the colonial powers lack the requisite legitimacy – and many leaders have added to this by adopting ideologies that further delegitimise these institutions – overcoming the parochial nature of

the communal realm is difficult to accomplish in a democratic fashion. Building the nation or fomenting national unity tends to become a top-down and often autocratic exercise that sets one communal group against the other and leaves people afraid of challenging public authority. Mamdani (1996) has captured this by highlighting how African countries after independence are divided between a small elite group of citizens largely confined to the capital city, on the one hand, and a majority of people, on the other, who continue to have a relation to public power as subjects.

This dominance of the state in nation-building under circumstances that are not congenial to the growth of a civic public realm is also illustrated in the analysis of data from the Afro-Barometer, the cross-country survey of African social and political attitudes. For example, Logan and Bratton (2010) have shown that most do not engage in political activities between elections. They may use their right to vote, but engaging in collective action between elections to promote a certain cause is rare. Their conclusion, therefore, is that Africans tend to be voters but are yet to become citizens. Public policy tends to occur in circumstances that lack the qualities associated with a civic public realm or sphere. Those in power view rights to be vested in the state as the necessary instrument for building national unity. Contrary to the liberal view, they treat people as duty-bearers. The latter has an obligation to fall in line with the state and respect the authority of those in charge of state institutions. Criticism of government and its policies is all too often treated as not only unpatriotic – as has been happening even in the United States during President Trump’s time in office – but also as a threat to national security. Such an approach to governance has the inevitable effect of undermining the spirit or culture in which a civic public realm can flourish. Many civic leaders in Africa have ended up in detention because they have dared to question their government.

In recent decades, much attention has been paid to build democracy by strengthening the institutional framework that makes it possible. While this task is important, it must be realised that it is also a matter of culture. You cannot have democracy without democrats, i.e. there must be “champions” to lead the infusion of civic values into the political discourse. It is not enough if such voices exist in civil society. The real challenge is to make government leaders convinced that freedom of expression and respect for human rights are not threats to national unity or security but an integral part of building an inclusive political culture in which the civic public realm can thrive.

The development imperative

From a global perspective, most African countries are defined as “low-income” countries at the bottom of the economic growth ladder and as laggards in the modernisation of society. These two factors turn “development” into an imperative that guides public policymaking. It has been pursued under different labels, more recently as “poverty reduction”. It is boosted by the extensive support African governments have received from Western donors. In the first few decades after independence, these donors provided their support without questioning how African states were governed. Later, they became more cautious and introduced a set of political conditions to their aid. Much of this effort backfired in the early 2000s. It was only once that lesson had been learnt that donors realised the need to promote democratic governance in partnership with the government and non-state actors, notably civil society organisations. Because of the legacy of non-democratic norms fostered first under colonial rule and later by the post-independence government, it has been hard to build a public sphere that reflects democratic values. There are some government leaders, e.g. Paul Kagame in

Rwanda and Yoweri Museveni in Uganda, who argue that democracy in Africa can only be realised at a later point in time when their countries have reached a higher level of development. This argument supports some of the literature on democracy and development, notably the analysis by the Canadian sociologist, Seymour Lipset (1959), carried out six decades ago, who showed that the higher the level of economic growth, the greater the prospect that democracy will thrive.

The conclusion that can be drawn from Africa at this stage is that development is an ambiguous variable when it comes to fostering a civic public sphere. It is at the same time both a positive and negative factor. As countries become more developed and modernised, the prospects for democracy increase, but as governments commit themselves to this development imperative, they are also more prone to suffocate the emergence of democratic values on which a civic public realm depends. Thus, it is no surprise that political regimes in Africa vary more widely than they tend to do in other regions of the world. Africa has lacked a “model” country like Brazil in Latin America and Poland in Eastern Europe, which helped catalyse democratisation. Neither South Africa nor Nigeria or Kenya has emerged as a country, others would emulate. Outsiders have often used Botswana, which has the longest and most credible democratic record in Africa, as an example of what other countries in the region should do. African leaders, however, have looked in other directions and dismisses the notion that Botswana is a model for the rest of Africa.

The concept of “public” whether in reference to policy or governance is not only contested in ways that contrast with liberal democracies but also in a state of evolution that reflects both structural factors such as economic level of development and behavioural changes stemming from closer interaction with countries that are ready to serve as partners in democratic development.

“Institution” in the African context

The concept of “institution” is crucial for understanding public policy and how it is being made and the public realm, the context in which it is formulated and implemented. It is distinct from “organisation” which refers to how a series of roles are organised to get things done. Institution refers to the norms that infuse an organisation and gives it a character or culture. Thus, institutions are the building blocks of the public realm. They are typically looked at as the structures that hold a democratic polity – and thus a civic public realm – together. However, there is a reason to revisit the concept to check whether viewing it as rules independent of human action is the only or most appropriate way of using it for governance and public policy in Africa.

Institutions as rules

Institutions have played a prominent role in both development and governance analysis. Ever since the international community embarked on assisting poor, low-income countries in the 1950s, the concept of institution has been a key ingredient of promoting the donor development agenda. The problem with this effort is that it has overlooked that institutions have cultural roots and cannot be developed or changed at will. Yet, this is exactly what the donor community has done. Members have engaged in a massive transfer of institutions from their own countries on the premise that because they have worked there, they will also work in other countries. African countries have been the primary destination of these transfers. Africans have been at the receiving end of institutional development rather than in charge of

developing institutions of their own making. Because the conventional view in donor and wider governance circles is to treat institutions as rules that constrain action, they are viewed as independent of human agency. People live under rules and, for example, “face the law”. Institutions as rules are scripts or schemas that human actors must learn to adopt to avoid sanctions. Institutions are depicted as structural constraints on action, temporal pathways of regularity, exogenous mechanisms of socialisation or ingrained patterns of cognition.

Institutional capacity development is the essence of donor support to public institutions. Many lessons have been drawn in recent years, showing that it is much easier to build organisational capacity than reform and institutionalise new rules (Booth 2012; Andrews 2013; Levy and Walton 2013). Capacity development projects tend not to pay enough attention to norms that shape choices by offering intrinsic rewards and cultural-cognitive devices that influence how groups think and behave. These studies tie these limits to a lack of realism in reform design and implementation. They argue that reforms commonly fail to allow for necessary adaptation of external ideas to the realities in targeted contexts because the reform processes focus too narrowly on introducing the external good practice *in principle* and pay little attention to the practical difficulties of doing so *in practice*. The result has been the birth of “white elephants”, projects that look great on paper but whose design lacks realism. An especially well-documented example of the failure of this “blueprint” approach is Therkildsen’s study of the development of the water sector in Tanzania during the 1970s and 80s (Therkildsen 1988). The institutional structures for managing and maintaining these expensive, capital-intensive projects were simply out of touch with the norms prevailing in the villages where they were built.

Institutions as experiential

It is now a general lesson that has been learnt in foreign aid circles that too little attention has been paid to the developmental potential of local institutions on the ground in developing countries. They cannot be ignored because they have a rationale and dynamics of their own. By overlooking their potential, many opportunities for a bottom-up, endogenous form of development has been lost. An experiential view of institutions provides a more relevant perspective on what is needed to promote an approach to governance and development based on what Levy (2013) calls “working with the grain”. An institution is not separate from human agency but a manifestation of ongoing practice. It is not in constant stasis but rather in perennial flux. As Berk and Galvan (2009) note, such an approach acknowledges that living under rules implies living through them: not just playing by the rules but doing so in the sense of improvising.

Institutions, in this perspective, are living mechanisms. Improvisation, for example, maybe blocked and turn into a routine, but this is not because rules preclude it. Instead, it is because human interventions inside institutional structures cause it. This approach suggests that institutional stability is not the default position. Institutions tend to go “off track” or veer in unanticipated directions because people live and work through such structures. For example, formal rules are turned into informal practices because those inside the institution prefer it that way – even if it means that the original rationale behind the institution is being modified or lost. Therefore, achieving or restoring order takes creative and consistent action – a way of looking at institutions that is relevant to understanding, for example, how to approach public sector reforms “from within”.

Public administration in developing country contexts are typically characterised by ambiguity. Actors follow, use and upset rules that never stay in the same position. In doing so, they

follow their habits derived from experience and create what may be called “rules-in-use”. “Habit”, according to Dewey ([1922] 2002) – the American philosopher and educationist – whose ideas are particularly relevant here, means the acquired predisposition to ways or modes of responses are shaped by prior activity. Habit, therefore, is also projective, indicating how a person will respond to a given challenge. Therefore, the institutional challenge facing reform of public institutions in Africa is to build on what is already on the ground and how to catalyse action towards change. Habits are situational in the sense that people acquire skills as they experience worldly matters. People do not act upon the environment but rather acquire their habits from there. They do not just enact rules but learn how to align or realign situations, actions and aspirations. Perceptions of what to do, therefore, are adjusted. Policy-making in this perspective is not legalistic but pragmatic.

Habits are also propulsive, demanding certain kind of actions that help constitute the self. According to Dewey, habit harbours will in the same way, as Lindblom (1990) argues, that people do not have preferences before action but rather discover and revise them through action. Furthermore, habits are not by definition routines because the alignment of skill, rule and environment is never the same. For Dewey, routine, therefore, is an anomalous breakdown of habit and a suppression of the skills that are needed for change. Habits are responses to impulses or raw “unlearned activity”. These impulses perturb habit and have no meaning until they have been turned into habits. This habituation or domestication of impulse is not always successful. The interaction between impulse and previous habits, therefore, is crucial to what happens to institutions.

According to Dewey, there are three pathways to come out of this interaction between impulse and habit. One is to act at the “spur of the moment” in a manner that does not need reasoning. This can happen in any society, as the case of President Donald Trump in the United States illustrates. His style of governance has been described as “chaotic”. Even if this may be a conscious strategy on his part, it lacks long-term thinking and, in his case, it is all about “what is in it for him”. Such behaviour is also not uncommon among politicians in African countries who want to see themselves ruling over people rather than engaging in strategic problem-solving. Wherever such behaviour prevails, a civic public realm faces grave difficulties. It shows up especially in situations where the leader displays signs of inferiority and feels the need to demonstrate power. Because power tends to be personalised, the only way forward toward a more civic form of governance is to adhere to a discourse in which issue rather than personality is central. Such discourse tends to have the effect of reducing the risk of unpremeditated action.

The second way of taming impulse is to respond through a compulsive routine. According to Dewey ([1922] 2002, p. 79), this response reinforces existing habits and is the result of a separation of habit and thought. Such separation may occur when socialisation highlights only one set of information or when one group of actors takes it upon themselves to do all the thinking and assuming others will merely act on their words. This is the problem that has afflicted public administration in Africa for decades. The system inherited from the colonial masters was adopted without much thought if for no other reason the need to attain stability and order after independence. The civil service, after all, was the backbone around which the new states were going to be built. Routinisation was viewed as politically necessary. Public sector reforms in much of Africa, unfortunately, have not changed this tendency for habit and thought to remain separated because these reforms, as suggested above, have merely emphasised the adoption of another “text”, i.e. a model whose rationale and content tend to be foreign to those inside public institutions. Because reform is a package that presupposes a set of preconceived institutions or rules it tends to have the effect of further separating habit and

thought. Creativity is lost because the reform process easily becomes “mechanical”, notably with respect to reaching results that justify the reform initiative.

The third way of taming impulse is to engage in deliberation with others drawing on reflective imagination of the various scenarios that a new impulse, a change in environment and previous habits suggest. When people deliberate, according to this experiential approach, they behave like the seminal *bricoleur* portrayed by Levi-Strauss (1966) “rummaging through”, as Berk and Galvan (2009, p. 555) suggest, “the available resources of partially relevant habits, whole and broken, as well as salient impulses, to cobble together a new solution”. Because public sector reforms have relied so heavily on “blueprints”, there has been little space for creative deliberation. The fact that these change processes have been guided by external consultants has only exacerbated the situation. Furthermore, there is little evidence that local actors and stakeholders have been incited or encouraged to engage in deliberative creativity sessions using their own habits as relevant starting points. Those initiatives taken by African public servants, e.g. through the African Association of Public Administration and Management, in the years after independence were steps in the right direction but lacked the power to change practices in government (Rweyemamu and Hyden 1975).

Deliberative creativity, therefore, has remained a missing ingredient in the way donors and governments have approached their efforts to strengthen institutions in the public sector. There has been little or no effort to create space for such creativity. It has been discouraged in favour of almost blind adherence to goals and results. Deliberative creativity is a social activity that entails being able to see the world also from the side of the other. It does not rely on projecting utility functions on a screen for every possible solitary choice that an actor may make. Instead, it plays out new lines of action in the light of prior ways, hopes, examples or combinations of these old actions. It resembles very much the institutionalist argument of March and Olsen (1989), who acknowledge the importance of both context and meaning as guides for the rise of institutions and how they are maintained. For example, the generation of a convincing common narrative drawing on insights from the environment (natural, social or political) provides the glue that facilitates collective action. The experiential approach to public sector reform creates narratives that stem from the inherent sociability of deliberation. These contributions to a shared storyline offer meaning that are both individual and social. Because these storylines are constitutive of meaning, the public sphere is always the beneficiary of such a process.

Human agency in Africa: how autonomous?

The original concept of the public sphere, as developed by Habermas (1989), presupposes a bourgeois view of the individual as free and autonomous. The public sphere emerges when such free individuals come together to deliberate matters of common concern, as noted above. African societies may have their elite and their middle class, but they do not have a bourgeoisie as portrayed by Habermas. In theorising about the “public” in Africa, it is also necessary to focus on the nature of human agency. How free or autonomous is it?

The answer begins with an analysis of how foreign aid has shaped the notion of how humans make their decisions. Because foreign aid has been dominated by the economics discipline, it is no surprise that the model of man that has prevailed is devoted to finding policy solutions in the most efficient manner (Mkandawire 2001). More specifically, the rational choice theory has been a dominant paradigm. It makes the individual supreme by externalising factors that otherwise complicate decisions in complex environments. Thus, it creates a manageable decision-making scenario, although it is only a snapshot of a piece of

reality. It is handy because it is a shortcut to claiming knowledge of what matters or, as it is often phrased, “getting a handle on it” (the problem). A “project” or “program” as conceived through such approaches as Logical Framework Analysis or Theory of Change (ToC) emphasises the importance of identifying linear causations that can be identified in theory and serve as a guide for practical action.

Even though each approach may have a participatory component, everyone involved is expected to adhere to the theory, making development policymaking foremost a technical or managerial task. This serves the international donor community well because it allows for activities to be managed and evaluated to provide feedback on how well their financial support works. Because so much of this support is channelled through non-governmental organisations, they have an obligation to apply the same approach. Apart from the fact that LogFrame and ToC approaches reduce the scope for consideration of policy alternatives, they overestimate the autonomy of human agency. They do so by not acknowledging that human beings are social and influenced by their environment, like when interacting with other people. They act upon the environment, but they are also shaped by it. This reciprocal causation is a critique of mainstream behaviourism which postulates that individuals are, by definition, created and brought up to pursue their self-interest (Bandura 1977). Reciprocal causation, instead, emphasises the importance of cognition and the ability human beings possess to learn and incorporate influences from multiple sources before they make their decisions. This approach to human action criticises the strict focus on the outcome associated with rational choice theory and mainstream behaviourism. Instead, it pays attention to the process: how individuals, through observation, learn to shape policy while also being influenced by what is going on around them.

This is an important insight for understanding policymaking in Africa. Government leaders have narrowed the environment from which they learn by relying on personal cliques and monopolistic politics. They tend to view the social reality around them through a very narrow lens. Being confined to these narrow circles, they overestimate their own efficacy, i.e. ability to achieve desired outcomes. They, therefore, blame shortcomings on others rather than accepting the reasons why they have failed. Because they function in what amounts to a political “bubble”, they also view the opinion of others as a threat. They suppress civic activism and generally react negatively to proposals by donors and diplomats when they advise improving governance.

The notion that causation is reciprocal, therefore, helps to highlight how public policymaking in African countries tends to fall short of promise not just because they lack institutional capacity but also because individual decision-makers are made to overestimate their self-efficacy, with the result that they often act in arbitrary and autocratic manners and hold back the growth of a civic public realm. This aspect of public policymaking is overlooked in rational choice theory, which presupposes that human agency is a matter of one-way causation, as implied in LogFrame and ToC. The theoretical assumption that causation is reciprocal invites a certain humility necessary for strengthening the civic public realm. The notion that policy must be transformative is a noble aspiration. However, if it is held on to without realising that it can be reached only through collaboration and the input of others, the outcome is bound to be another “white elephant”.

Such is the paradox of public policymaking in Africa: development invites attempting great leaps forward while governance with a focus on building a civic public realm calls for striding forward in a tempo that leaves no one behind. Tanzania’s first President Julius Nyerere famously said about his country’s challenge at independence: “we must run while others walk”. With the benefit of hindsight, we now know that such bold policy aspirations

easily lead to a backlash of lost hopes. Theories that treat policymaking as a managerial task are only not enough for understanding what happens in Africa but they must also address the political and social context and how, for better or worse, it shapes the process and, by extension, its outcome.

Conclusions

There are two conclusions to draw from this discussion. First, theorising about public policy in Africa is not merely a matter of adopting insights from the experience of European and American countries. They constitute a foundation for thinking about the subject matter but the challenge for theorists wishing to understand the African situation cannot be satisfied with just imitating others but rather consider what is characteristic of public policymaking in Africa. Because little has been done along these lines, a vast terrain awaits exploration. As suggested above, it begins by critically examining key concepts that constitute the field of policy studies. Descriptions of what policymaking is in Africa and prescriptions about making it better must be grounded in realities on the ground in these countries. Second, public policy is as much political as it is an economic matter. Because donors have had such an influence on policy in Africa, there has been a bias in favour of viewing policymaking as largely a matter of finding optimal solutions reflecting a cost-benefit calculation. While such an exercise obviously is an important part of policymaking, it is not the only way. The appropriateness of a given policy choice is as important as indicated by the growing interest in identifying policy solutions that “work with the grain”. This includes acknowledging local voices, and thus a participatory approach that highlights reciprocal causation and the political nature of making policy.

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5

PUBLIC AUTHORITY IN AFRICA

Tom Kirk and Tim Allen

Introduction

Academic research on public authority in Africa has mushroomed in recent years, suggesting that governance is no longer primarily viewed through a state-centric lens. For some, this has been a welcome corrective to reductive discourses on good governance, neo-patrimonialism and state fragility. For others, it is a worrisome flirtation with alternative forms of rule-making and political ordering that threatens to romanticise or diffuse a host of ongoing policy issues affecting Africans and their state-building projects. This chapter explores the origins of the concept, its intellectual debt to legal pluralism and its approach to statehood and government action. We offer some reflections on its critical insights for public policy and development processes in Africa. We also selectively delve into emerging works that use a public authority lens to show why it has much to say about the nature of African states and life for those living in them, including nuancing older frameworks that proposed grand theories of their underdevelopment or distance from liberal norms. In the process, we address some of the research critiques on public authority and its contemporary directions.

Origins

The term ‘public authority’ has long been used in legal discussion to refer to formal government instruments and instruments of the state created by legislation to further public interests, such as the police, army and various sanctioned forms of local administration. More generally, public authority is a term used to refer to matters associated with public rather than private law. However, even in places where the idea of public authority has a long legal history, there is, in practice, a large arena of social life that occurs between the private spaces of family life and the public domain of formal governance. That arena may sometimes be referred to as the realm of ‘hybrid’ kinds of public authority, such as government-like institutions that provide public services, formally recognised charitable organisations, bodies that scrutinise aspects of a state’s performance and mechanisms that are subject to formal judicial accountability. An important quality of these sorts of public authorities is that they are almost invariably conceived in relation to the state or functions of formal governance.

This then begs whether forms of authority exist beyond the private sphere and are public but resist, ignore or subvert states and other modes of formal governance. These forms of public authority exist, especially in places where formal governance is weak, limited, unpredictable, actively resisted or largely irrelevant. Such forms of public authority may be overtly illegal, such as mafias and vigilantes, or they might be benign, such as civil society organisations and religious communities. They may also exist in the private sector, such as when commercial enterprises, sometimes involving and regulating a sizeable population, operate and engage in illicit activities inside states and across borders. In addition, where formally recognised states have been introduced in places where other kinds of political orders already existed, those older political orders may survive or adapt.

All these phenomena may be glossed as manifestations of hybrid public authority, but the degree to which they supplement, broaden or enhance state-related public authority is moot. Also, even the most formalised modes of public authority are likely to have some hybrid elements, such as the evoking of familial or religious values. Thus, a focus on public authority, using it as a term that refers to social institutions facilitating collective action beyond the private realm of family life, might not necessarily involve assessing government actors or actions within the remit of formal judiciaries. It is possibly misleading to assume that conventional, formalised, legally compliant public authority is always the appropriate starting point for those seeking to understand how people are actually governed in particular places. As Putnam has argued regarding Italy, it may be that in some cases, public authority is less about the general public good, or 'civicness', and more about the broadening of familial modes of trust, accountability and morality (Putnam 1994).

Contemporary academic interest in African public authorities has emerged from the substantial literature that explored the micro-politics and ways of life in colonial and post-colonial states (e.g. Schapera 1938). Anthropologists, in particular, described and analysed political orders regulated by different kinds of chiefs, ritual specialists, secret societies, lineages and kinship systems. In some of this literature, colonial governance and even post-colonial governance are barely addressed. Formal systems were not assessed as significant or viewed as new introductions, which may transform things in the future with important exceptions. This approach inevitably changed over the years. Nevertheless, many anthropologists have continued to foreground practices that might be called customary, indigenous or traditional, often exploring how they adapt or are transformed in the context of wider developmental processes (e.g. Comaroff and Comaroff 1993).

Such approaches have also influenced other social scientists who explain why things do not happen in predicted ways or why African states, their governance, their economies and their demographic profiles seem not to follow trajectories noted elsewhere. Goran Hyden, for example, famously and controversially, suggested in the early 1980s that state-directed progress in East Africa was systematically hindered by economies of affection and an uncaptured peasantry (e.g. Hyden 1980). Hyden's arguments were provocative in that he seemed to suggest that Africa was in crucial ways exceptional. Those exceptional aspects meant that African states could not develop in the ways promoted by the World Bank and international aid donors. Moreover, they were unlikely to have genuine Marxist revolutions and were home to populations likely to opt-out of alternative, ostensibly Africa-centric, nation-building schemes such as Nyerere's Ujamaa programme in Tanzania.

Unsurprisingly, scholars from diverse political perspectives who shared the idea that developmental state building was necessary and inevitable were critical of this kind of analysis. However, Hyden's perspectives on why states were not working properly were among several views on Africa, which were not necessarily in tension with the era's prevailing shift

towards more neoliberal governance strategies. While encouraging informal enterprises and smallholder production as aspects of structural adjustment, cutting back state expenditure and services helped expand space for potentially less prescriptive and possibly more locally relevant interpretations of African livelihoods.

Similarly, participatory development agendas built on earlier ethnographic studies suggested that informal economic activity might be harnessed to new kinds of development schemes that were less overtly linked to state-building or even formal governance (Allen 1987). At the same time, interest in indigenous agriculture and local healing directed attention to activities, alternative bodies of knowledge and forms of public authority, that mainstream literature had tended to assume would be in the process of disappearing, yet were persisting and adapting (e.g., Richards 1985).

Many authors produced research that countered depictions of African populations living in eroded or failed neo-patrimonial polities with vast swaths of ungoverned, often insecure territory. Instead, they suggested that such places were governed differently and sometimes effectively. They showed how a variety of actors, from street level bureaucrats to customary, business and faith leaders, civil society organisations, vigilante and armed groups, claim positions of authority and attempt to institute the 'rules of the game' through combining the provision of vital public goods to populations with appeals to popular and emerging social norms (North 1990). Again, drawing on a long history of ethnographic inquiry, it was also demonstrated that alternative pathways might be viable and necessary.

Although the dominant trends in the analysis of governance in Africa continued to foreground more conventional perspectives, by the 2000s, substantial literature had been produced on these themes. For example, Hagberg (2006) explored the 'making and unmaking' of public authority in Burkina Faso; Menkhaus (2006) described the processes that lead to a 'mediated state'. A little later, Olivier de Sardan (2008) defined 'the practical norms of real governance in Africa'; Raeymaekers et al. (2008) 'governance without government' in situations of protracted crises; and Leonard and Samantar (2011) the 'local social contracts' and 'proto-state systems' that formed where older regimes had retreated.

One of the first attempts at theorising this focus was that of Christian Lund (2006). He argued that a host of authors revealed how African public authorities variously seek to govern in cooperation with, alongside, in opposition to and out of view of states. Lund's conception of public authority retained an orientation towards the idea of the state. Still, he used Abrams' (1988) distinction between the state as a system and an idea to explore how even where they operated without any formal relationship with central authorities, many actors still drew on the symbolic repertoires and mimicked the practices of states. Among other phenomena, this mimicry can include taxation, wearing uniforms, bureaucratic procedures and judicial-like decision-making.

It also often involves purposefully blurring distinctions between state and non-state, formal and informal and official and unofficial through the creative blending of popular and emerging social norms – sometimes termed 'institutional bricolage' – to introduce new modes of governance and advance public authorities' own ends (Cleaver 2001). For these reasons, Lund suggested that through constant innovations and references to the notion of the state, in practice, public authorities actually 'bring the state back in', but in a vastly different way from that described by Skocpol in the mid-1980s (Skocpol 1985). Nonetheless, Lund encouraged further studies of how public authority manifests in Africa without necessarily replicating or performing the state and avoiding any concerted effort to craft a rigorous universal definition of what public authority means.

To distinguish public authority from pure coercion, Lund argued that actors' efforts to govern others must in some measure be voluntarily accepted and accorded a modicum of

legitimacy. Only then can nascent institutions begin the fraught process of solidifying. Accordingly, those interested in researching public authority and, by extension, public policy are encouraged to focus on actors' appeals to emerging and popular social norms and any ensuing struggles over the ability to govern. For example, difficult negotiations between local leaders and armed groups over taxes levied in return for the provision of some public good, usually security of justice; or rejected efforts to reserve precious resources, such as medicine or land, for the 'sons of the soil', can provide fertile ground upon which to unpick how actors' claims to legitimacy and preferred institutions form or atrophy. The aim is to uncover how public authority is claimed and accrued by various actors and institutions that must continuously compete for legitimacy with rivals, whether they be the state or others. Therefore, research on public authority is partly another attempt to answer questions on legitimacy, governance and public policy processes in Africa.

Lund also acknowledged the public authorities research agenda's intellectual debt to scholars of legal pluralism. He singled out Sally Falk Moore's work on 'semi-autonomous social fields' (SASFs) among the Chagga in Tanzania and New York's garment industry (Moore 1978). Moore used anthropological methods to show how actors generate their own internal rules, compliance mechanisms and institutions that are as binding as state law by creatively ignoring, selecting and blending social norms. However, she also showed why their efforts remain 'vulnerable to rules and decisions and other forces' with varying levels of power to influence them (Moore 1978, p. 57).

These vulnerabilities mean that actors seeking to create SASFs are in constant communication and, in some cases, struggle with other normative ordering systems. While she did not say so explicitly, for Moore, the state could be considered a SASF alongside the Chagga's adaptive lineage-based property inheritance system and the garment industry's acceptance of the need to regularly collude over the breaking of union social contracts to ensure profits. Research in this vein aims to show that state law is not the only possible source of rule-generation. It co-exists with other sources, such as international, folk, customary and religious systems of rules and norms proliferated (e.g. Merry 1998).

What scholars interested in legal pluralism had done was decentre analysis of law from its preoccupation with the state. Lund was essentially seeking a similar shift with his argument that the state is not the only, and not always the most important, governance actor in Africa. Yet, like previous legal pluralists, Lund's interest in public authorities' use of norms, symbols and practices that reference the state spoke to an enduring empirical reality: that stateness or statehood was still an orientating idea for many of those seeking to govern. Even where the state's tangible apparatus was absent, or public authorities were the very actors blamed for undermining African state-building projects.

Evolution of the public authority lens

During the early 2000s, there was a marked tendency for academic researchers of public authority to find common ground with even the most conventional development practitioners. In particular, there was widespread frustration with the poor outcomes of stabilisation and state-building efforts that repeatedly failed to transplant institutional templates gleaned from developed countries to those with supposedly fragile or conflict-affected states (Hyden 2007; Clements et al. 2007). In addressing this, efforts were made to engage public authorities already endowed with local legitimacy and providing public goods. These institutions could provide a temporary, second-best solution on the way to liberal forms of rational-legal statehood. Additionally, it was hoped that some illiberal public authorities would gradually shed

their current practices to occupy roles deemed more compliant with international norms in the emerging states they saw themselves as developing. Then, at the start of the 2010s, the World Bank attempted to move this perspective into the mainstream of political and economic analysis.

Discussion about forms of public authority and the challenge of public goods provision in the many parts of the world in which the legitimacy of putatively sovereign governments was violently contested fed into the 2011 World Development Report (World Bank 2011). The report began by noting that many conflict-affected countries in the World Bank's comprehensive data set register empty columns, reflecting a lack of basic information (xix). The authors, therefore, turned to other kinds of evidence and explicitly sought to move beyond established approaches. Although constrained within the formal arrangements for approving the text, conventional state-building models were set aside to work with what is available. That entails identifying and promoting what may be experienced as legitimate institutions, which provide localised security and public services, rather than assuming good governance requires enhancing state capacity.

In response to this initiative, the United Kingdom's international aid agency funded a consortium, called the Justice and Security Research Programme (JSRP), based at the London School of Economics and Political Science, involving numerous partners in Africa, Europe, North America and the Middle East. This eventually led to the establishment of the Centre for Public Authority in International Development (CPAID) in 2017. The JSRP and CPAID brought together scholars working with a public authority lens – including several of those cited by Lund – to explore everyday politics and social realities on the ground.

This work began with systematic literature reviews of research on governance in conflict-affected places in the region. Each review focused on areas of African life commonly flagged in the literature on public authority as sites of rule-making and fierce contestation. They included reviews on security (Luckham and Kirk 2013), justice (MacDonald and Allen 2015), transitional justice (MacDonald 2015), resource governance (Cuvelier et al. 2013) and climate change and conflict (Forsyth and Schomerus 2013). A review was also undertaken into emerging critical approaches to the production of public authority within the contemporary literature on conflict-affected and transitioning regions in Africa (Hoffman and Kirk 2013).

The latter was partly spurred by the realisation that the aid and development sector's interest in 'hybrid political' orders and its embrace of the concept of 'political settlements' were alternative ways of talking about similar phenomenon to those described in ethnographies of African micro-politics (North et al. 2009). The review found that more unites than divides these approaches. Each aims to show how legitimate claims to authority and the exercise of power are intimately related to the skill with which African leaders can deploy a diversity of norms and resources to justify their governing populations in conflict-affected places. Together, they challenge reductive concentration on bureaucratic and technical, rational-legal remedies for security and development in the contemporary literature on supposedly fragile states and liberal state-building.

The review also identified different ways of claiming public authority and modes of governance. Among them was an emerging theory of sovereignty which suggested that some public authorities – sometimes with its permission or acquiescence – appropriate the ability to proclaim the 'state of exception' from central states as part of their own claims to power (Schmitt 1985, p. 5). Studies of vigilantes in South Africa, the governance of the Ethiopian–Somali frontier and leaders' appeals to the spiritual and occult in Zimbabwe, Sierra Leone and Nigeria suggested that a key tactic of aspiring public authorities is to define the thresholds of inclusion and exclusion within political communities. Permissions to contravene

normal practices or laws (e.g. Hansen and Stepputat 2005) can include declarations of who should receive public goods such as protection or a fair trial and who can be considered 'bare life' and, thereby, legitimate targets of derision, oppression and even violence (Agamben 1998). Such thresholds were shown to be unfixed and fluid, as different subjectivities – the refugee, the poor, the criminal, the unemployed, the homosexual, the mad, the pagan, the terrorist, etc. – can all be deemed as bare life by public authorities keen to portray themselves as cleaning the body-politic of some polluting element or new threat. This denoted an active appreciation of how some public authorities draw the boundaries between identities and groups, insider and outsiders, and those with and without rights.

Over the years, researchers working with the JSRP and CPAID across the horn and east Africa have documented various kinds of public authority in conflict-affected places (see <https://blogs.lse.ac.uk/jsrp/publications/>). Much of the output has retained Lund's (2006) emphasis on how public authorities, even those beyond or violently opposed to the state in places such as the Democratic Republic of the Congo (DRC) and Uganda, still reference it (Tapscott 2016). And how some provide justice and protection while blurring easy distinctions between the state and non-state (Hoffmann and Wiuff Moe 2015; Pendle 2015). Yet, many of these authors concluded that the aid and development sector's flirtation with notions of hybridity and its attendant teleological theories of state-building added little to understanding contemporary African statehood (Meagher 2012).

Nonetheless, some authors borrowed from this literature the idea of identifiable 'logics' to help explain the broad contours of studied public authorities' appeals to and creative use of social norms to justify their favoured distributions of public goods and claims power. For example: (i) research on mob justice and vigilantes in North Uganda showed how local politicians, government officials, the police and spiritual leaders create and maintain constituencies by deploying a logic of 'moral populism', promoting panics about alleged witches and vampires and using elections to select scapegoats (Allen 2015); (ii) research on populations severely affected by Ebola in Sierra Leone, and facing restrictions on caring for relatives and burying those that died, showed how the rules were safely ignored and circumnavigated, drawing on consensus about 'public mutuality' that made possible egalitarian practices acknowledging spiritual needs and moral concerns (Parker et al. 2019; also see, *Chapter 39*); and (iii) research on conflict negotiations in various parts of northeast Africa described and analysed a 'political marketplace' logic, which helps explain how political leaders deploy personal budgets to secure loyalty, and how they signal their bargaining power by deploying their followers in displays of violence to claim positions in elite coalitions (De Waal 2015).

Authors using these logics do not claim to have discovered separate, law-like ways of thinking or acting and routinely argued that more than one logic is in operation at any time or place (see *Chapter 6*). Indeed, researchers often document how logics reinforce, compete or run up against one another and regularly sought to test their explanatory power or nuance them through new empirical research and fierce debates. Moreover, unlike some earlier commentators, they have not claimed anything exceptional to Africa about the logics they identified. Many argued that similar ways of claiming public authority were likely to be at play elsewhere, including in the micro- and macro-politics and public policies of developed countries.

As Lund (2006) encouraged, therefore, they were not really collecting the building blocks of a theory of African public authority; instead, they are documenting and refining their understandings of the processes that contribute to its making and unmaking in specific places. To adopt the term of a leading analyst of similar themes in Southeast Asia, scholars using a public authority lens avoid 'seeing like a state' (Scott 1998). They build their insights from the specifics of particular places and look for patterns. In so doing, they explore social

phenomena that are usually not hidden but commonly overlooked, which often leads them to challenge prevalent assumptions and to offer radically different explanations of social processes or assessments of public policies.

Much of this work uses ethnographic methods to gain rich descriptions of the processes, including the social norms, symbolic and material repertoires, that actors creatively deploy to claim public authority. It also seeks to show how those they aim to govern receive such efforts. Long periods of emersion in field sites are critical to this, as are collaborations with African researchers familiar with the dynamics of their own societies. Uncovering the relevant processes requires ‘deep looking and listening’. Only then can researchers begin to understand why people accord particular norms, practices and institutions legitimacy; reject others as irrelevant, wrong or dangerous; and ultimately feed into public policy processes.

Similarly, local and national level histories have also been important to studying public authority and governance in Africa. They help research transcend specific times and places, and extrapolate how public authority can be a legacy or signifier of wider processes and power structures (Hyden 2008). Such connections are arguably the current frontier for research on public authority that has continued apace and begun to comment on new areas of governance and statehood, as the next section explores.

Some examples of recent work on public authority

CPAID’s emerging research illustrates contexts and phenomena to which a public authority lens can be usefully applied. A host of actors from community organisations and protection groups to rebels and international non-governmental organisations maintain, revive and create norms and institutions to serve various needs, from security and justice to trade, healing, political representation and social harmony. There are also situations in which government actors purposefully engage non-state public authorities to provide such goods and govern as their representatives.

Hutchinson and Pendle’s (2015) work on two contemporary Nuer prophets in Western South Sudan straddles both situations. It illustrates how these spiritual public authorities have variously used their divine power to ascribe the boundaries of inclusive and peaceful and exclusive and violent moral communities. Both claim and are locally understood to hold power due to their promises of a respite from years of various governments’ poor provision of justice and destructive wars. The authors reveal how by offering their followers alternative centres of governance, these prophets play important yet overlooked roles in the making and unmaking of the young state as they push back against ‘the simplified, secularised, and objectified forms of violence glorified by rival government elites’ (ibid: 418).

Pendle’s (2020) more recent work adds another layer to such strategies. It shows that although the female Nuer prophet, Nyachol, rejects government authority in the areas she has influence over, she still insists on her followers’ compliance with customary law, including rulings of courts presided over by government-appointed chiefs. Nyachol claims that the Nuer can only cleanse themselves from the moral and spiritual ‘pollution’ of government wars by first taking cases to government courts. However, when government courts fail, people can turn to her own appeals’ court as a last resort and the ultimate legal authority. Nyachol, therefore upholds, challenges and replaces formalised public policies. Pendle’s unpicking of these apparent paradoxes illustrates how public authorities can be engaged in state-building projects that consciously dismiss the state’s authority as they reference its norms, practices and institutions. Through such creativity, they can claim to offer those they govern alternatives that better account for their tangible and spiritual needs.

Perhaps at the other end of the spectrum to which a public authorities' lens can be usefully applied are situations in which states implement new policy directions or respond to critical junctures. Among these are moments of crises, when previous constellations of power and authority are disrupted, creating room for new contests over norms, practices and institutions. The global COVID-19 pandemic is a case in point. Alongside the implications for public health, the virus has ramifications for the way people experience and understand public authority in general and statehood in particular.

In exploring this, our colleagues in CPAID and elsewhere were asked to provide examples of life experiences and public authorities' responses to the pandemic in the places they live in or intimately know. These include northern Uganda, South Sudan, the DRC and Sierra Leone. What they provided was sometimes anecdotal, often unclear and, in some cases, seemingly contradictory (Green and Kirk 2020). Nonetheless, they suggested that the ability to shape responses to the pandemic is a potent ability of public authorities.

As reported by Anna Macdonald and Arthur Owor, this was the clearest in Uganda. The national government sought to consolidate its overall control, monopolising the response to the pandemic and, in the process, pushing out or rendering compliant actors such as non-governmental organisations and faith-based organisations, while empowering and legitimating the violence of others as Local Defence Units. Comprised of ordinary citizens recruited to provide security in areas with little police presence, their heavy-handed patrolling of boundaries was declared necessary to limit people's movements and, thereby, the virus' spread. This led to potentially dangerous rumours and conspiracies about the virus' origins and a 'tribalising' effect as people were encouraged to report on one another and remain vigilant for outsiders. But the government's recasting of the pandemic as an opportunity did not end there. In May 2020, President Museveni banned much-needed food aid by politically unaligned individuals and organisations. Instead, its distribution had to be handled by newly created District Task Forces (DTFs) chaired by government-appointed Resident District Commissioners and comprised of selected members of the security services, faith and cultural organisations. This effectively put the state in control of the response right down to the village level and, according to records of meetings of the DTFs' sub-committees, allowed those loyal to the incumbent to be its face in the run-up to national elections January 2021.

Moving the level of analysis lower still, Holly Porter and Robin Oryem argued that in 'moments when "normal" ways of life are made impossible, cracks can become chasms, and spaces of manoeuvre to deviate from established norms present themselves' (p. 29). Through this, they referred to how northern Uganda youth seized windows of opportunity created by lockdown measures to challenge public authorities' traditional governance of their romantic lives. Under normal circumstances, young men are expected to hold lavish and expensive marriage celebrations and betroth someone approved by their elders and local religious leaders. Failure to do so can result in resentment, ostracisation and beatings. The pandemic, however, enabled some youth to see off such pressures and gave them a set of 'excuses backed by science, public health advice and the militarised enforcement of the government'. Moreover, youth could use them to remain respectful and humble enough to avoid irreparable damage to important social ties.

Yet, Porter and Oryem also suggested that the violent pandemic response may have wider lasting effects as the actions of Uganda's state-supported public authorities were put under scrutiny, and people's compliance with their dictates became the subject of online debates. This is a question that is likely being asked across Africa as ordinary people continue to weigh up forms of statehood that rely upon various public authorities more or less equipped to deal with crises.

These vignettes suggest that a public authority lens can help analysts unpick the gaps between the stated aims of public policies and their implementation, reframing and interpretation on the ground during times of crises. This includes how public policies can become opportunities for actors at multiple levels of governance to claim public authority or challenge it. This is necessary once research and analysis move beyond the state and its tangible institutions. It is also crucial for holistic understandings of the viability of longer-term developmental and state-building agendas.

Conclusion

This chapter has shown that a public authority lens can help to discern the multiple contexts of governance and public policy in Africa. It focuses on the 'real' structures of authority and norms that inform how societies interact and view the state's formal structures and public policies. Thus, it presents critical insights for African researchers, policymakers and analysts seeking to acknowledge and navigate different layers of authority and competing norms to improve public policies' receptions. For example, a public authority lens shows that an authoritative allocation of resources, if defined through its legalistic constructs and workflows, paints an inconclusive picture of how authority and governance are structured in Africa and how public policies should be designed, implemented and evaluated. Indeed, it shows how they can be instrumentalised in contests for power at different levels of governance, within and beyond the state.

We suggest, therefore, that the task for policy studies in Africa and elsewhere is to understand how policymakers can harmonise or integrate the formal dimensions of states with equally influential informal structures within and outside of them. Crucially, this requires analysis of how these diverse structures link with processes and rules that guarantee social order, security, property rights and a reasonable degree of prosperity. How that can be done depends on the context of action and logics shaping actual modes of governance. Not least, how localised practices relate to those in other locations; how they are incorporated into broader practices; and the ways they resist, co-opt or coincide with state institutions. Thus, a public authority lens offers insights into the competing constructions of mutuality, citizenship and underlying modes of public participation. It is especially relevant to exploring non-formal and overlooked modes of social organisation and assessing emergent and alternative notions of statehood.

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6

THE INSTITUTIONAL LOGICS PERSPECTIVE AND POLICYMAKING IN AFRICA

James Hathaway

Introduction

This chapter presents and discusses *the institutional logics perspective* as a systematic framework for understanding formal and informal structures that shape policymaking and administration in Africa. It contributes to ongoing discussions about the dynamic relationships and tensions between indigenous social structures that have long existed in Africa and social structures developed more recently (Ekeh 1975; Hyden 2013a, 2013b). It also contributes to ongoing debates about the limits of international reforms in the Global South (Andrews 2013; Evans 2004). This conceptual framework, which has been used extensively in the Global North, may provide a useful perspective for understanding the varied results from reform initiatives in African contexts. It may also offer a way forward for development practitioners, researchers and public servants in Africa.

Public servants in Africa often face challenging environments described by Masunungure (2004) as “schizophrenic”(p. 64) because they feel they need to behave differently depending on the situations at hand. The problem is the existence of multiple and conflicting ideas about public policy and how public bureaucracies should develop and implement policies (Hyden 2013a; Masunungure 2004). These tensions have vexed development practitioners in Africa, particularly when it comes to targeting aid around public reform initiatives.

Recently, Andrews (2013) contended that these problems occurred when the “efforts to reshape rules and behaviour failed – ostensibly because of stubborn contextual restraints” (p. 36). These contextual constraints are the institutionalised values, norms and practices that have long governed the appropriate and rational behaviours among political elites and bureaucrats. The problem arises from the mismatch between the *content* of reforms and the *context* of the receiving country, resulting in implementation failures of new reforms. For example, despite anti-corruption reforms in Malawi in the 1990s with the Corrupt Practices Act of 1995 and creating a new agency, the Anti-Corruption Bureau, corruption persisted and increased. The newly introduced formal laws and structures failed to change the informal modes of getting things done that had long existed in Malawi, which often entailed bribes or informal payoffs (Andrews 2013, p. 36).

In the proceeding sections, I will explore the use of the institutional logics perspective as a theoretical framework for understanding the multiple sets of ideas and norms within

the diverse political contexts on the continent of Africa. I define institutional logics as the sets of values, principles and practices about how a social world should work and the social structures that constitute it. From this perspective, institutional logics shape and guide the choices and actions of policy actors within the political and administrative contexts. They focus actors' attention on discrete sets of alternatives or courses of action, diverging from the stated policy goals or strategies in place.

In this regard, the actors' capacity for the individual agency would therefore be "embedded within prevailing institutional logics", making change difficult (Thornton and Ocasio 2008, p. 103). This chapter addresses the following question: *Does the institutional logics perspective provide a useful way of understanding the conflicting ideas about public policy and administration, especially related to policymaking and administration in Africa?* This chapter is organised as follows: after presenting how institutional logics can shape action and limit reforms, I will present a theory for how reforms can occur and how institutional change can happen. I conclude by linking the institutional logics within African contexts to the policy cycle and policy transfer perspectives.

Institutional logics

A common definition of institutional logics comes from Thornton et al. (2012). He defines institutional logic as "the socially constructed historical patterns of cultural symbols and material practices, including assumptions, values, and beliefs, by which individuals and organisations provide meaning to their daily activity, organise time and space, and reproduce their lives and experiences" (p. 2). Actors encounter various institutional logics daily as they interact within their societies, and those logics impact their decisions and actions. For example, a public servant would encounter a "bureaucratic logic" that provides organisational principles for how her work is done and her identity as a public servant. At the same time, a "kinship logic" may also explain how she interacts with her family and her identity as a mother, daughter, sister or cousin. These logics can also conflict with one another in various situations, making decision difficult and making actions or decisions sometimes seem irrational.

The institutional logics perspective began with the seminal essay by Friedland and Alford (1991) to understand the connections between society and institutions. It later became a popular source of inspiration in institutional research for explaining complexity and change in organisational life (Meyer and Hammerschmid 2006; Ocasio and Thornton 1999, etc). Using an institutional logics perspective to explore these issues in Africa links it to an already vibrant and growing stream of research used in several contexts in the Global North (Johansen and Waldorff 2017). Ultimately, this contributes to two streams of research: development and institutional logics.

An institutional logics perspective in discerning policy and administrative processes could better understand the formal and informal structures that affect individual and organisational actions. The details of reforms are often decoupled from how things usually are done, meaning they are only implemented formally and on the surface, if at all. Indeed, "decoupling is endemic" in the application of policy reforms as they are "modelled on an external culture whose elements may be inconsistent with local practices and requirements and cannot simply be imported wholesale as a fully functioning system" (Bergh 2012, p. 315). Similarly, Evans (2004) uses the term "institutional monocropping", to describe attempts to transplant universal institutional forms into the Global South by development actors and governments of the Global North. Institutional monocropping, while "a

comfort to practice” for a global elite, has proven a failure because of the “disjunction” between formal rules in the reforms and the “informal structure of power and practice” in the South (Evans 2004, pp. 33–4). Evans argues that, for policy reforms to be successful, they must instead derive from broad deliberation within the Southern context, where the local actors across all levels of society have engaged in a thickly democratic process to determine the content and goals of reforms.

While research on development has recently presented a perspective in which development reforms fail because the reforms do not match the context (Andrews 2013), this is not always the case. Some reforms and development projects do succeed.

Inter institutional contexts

From above, policy prescriptions such as reform initiatives, restructuring processes and accountability systems may not fit into the local contexts, resulting in implementation failure. Andrews (2013) uses the metaphor of “square pegs in round holes” to explain this “poor fit”, in which impressive-looking reforms are designed with limited attention to context and then introduced in the receiving county (pp. 2–3). While some formal changes may occur on the surface, such as new laws or organisational structures that make governments look better, there are still no real changes in how the governments serve their populations or solve pressing problems. From an institutional logics perspective, it introduces new logics (such as through reforms or organisational changes) into a context (such as an African state). Other logics are already dominant and embedded in how things get done in day-to-day life.

Therefore, an institutional logics framework can help understand individual and organisational behaviour in African political and administrative contexts. It views these contexts as an “interinstitutional system” comprising institutional logics that provide the social categorisations, classifications and shared identities that shape organisational and individual action (Thornton and Ocasio 2008). The logics are like rules that shape how agents understand reality, what they deem appropriate, what they are willing to enforce and how they plan to do so (Andrews 2013, p. 47). After these logics are embedded in a state for decades or even longer, they become increasingly difficult for policy changes based on new logics to take effect. For example, to explain reform failure in Malawi, Andrews (2013) argued that a “logic of corruption” had been embedded within Malawi for decades. Thus, even after a competing “anti-corruption logic” was introduced through new laws and government agencies, they still could not compete with the entrenched patterns of corruption and unquestioned leadership that had long been the method of getting things done in the Malawi society.

In this way, Andrews used the institutional logics perspective broadly to explain how the logics impact reforms. He used empirically driven dyads of logics, namely, a “corruption logic” and “anti-corruption logic” in Malawi, and a “soft-budget constraint logic” and “hard-budget constraint logic” in another state. While these logics are useful for specific research in a particular context, they are limited in their capacity to compare diverse contexts and empirical inquiries and examine problems beyond corruption and budgets. Toward that end, Hathaway and Askvik (2021) developed a typology applicable across different contexts, contributing to comparative studies and various inquiries. The new typology presented in Table 6.1 was developed through empirical research in Zambian public accountability organisations. It contains four institutional logics that can guide individual and organisational behaviour in Africa.

Institutional logics perspective and policymaking

Table 6.1 Typology of institutional logic in Zambian public accountability organisations

<i>Dimensions</i>	<i>Kinship logic</i>	<i>Bureaucratic logic</i>	<i>Development management logic</i>	<i>Professionalism logic</i>
Collective identity	Affiliation with tribal and ethnic groups	Affiliation with the bureaucracy	Affiliation with shared mission of the organisation to serve society	Affiliation with the professional community
Staff orientation	Orientated toward kin, community and patriarch	Internal orientation within bureaucratic organisation	External orientation toward public	Oriented toward professional field
Core values	Relationships: reciprocity, serving one's own needs and those of family and tribe with loyalty	Rules: following rules and correct procedures in a stable environment	Results: achieving measurable results, efficiency, effectiveness for society, especially the disempowered	Reliability: being skilled in and following professional norms, standards and methods; maintaining professional work ethic, autonomy
Preferred org. structure	Patriarchal structure	Centralised hierarchical structure	Fragmented structure, team and project based	Decentralised hierarchical structure
Operational mode	"Personal fiefdoms" with no separation between private and public resources	Mechanistic and geared to rules and routines	Organic, strategic and flexible to meet the needs of the public	Pigeonholing processes: diagnosis and application of program; discretionary judgement
System of control	Informal control based on expectations of reciprocity and/or fear	Rule-based, with strict formal control by centralised authority structure	Managerial control based on performance measurement	Professional autonomy, guided by norms and standards
Source of authority	Informal authority	Rational-legal authority	Managerial authority	Professional authority
Evaluation criteria	Elevating status with community; showing and sharing personal wealth	Following proper procedures; providing stable, consistent service	Achieving performance goals and targets	Delivering professionally sound and reliable work by following professional standards and methods
Employment practices	Entry to employment and promotions based on personal favour and connections	Entry to employment through centralised system. Promotions based on seniority	Entry to employment and promotions based on ability to bring results and performance	Entry to employment and promotions based on professional certifications and knowledge acquisition

Source: Hathaway and Askvik (2021).

Kinship logic

Friedland and Alford (1991) initially conceptualised the kinship logic and drew extensively from Goran Hyden's work on the *economy of affection*. It is linked to family and ethnic identity and a communitarian approach to life in Sub-Saharan Africa. This way of life is "primordial", according to Hyden (2013a), Ekeh (1975) and Masunungure (2004), since it predates colonialism and is often divided along ancient kinship lines, and through which actors "share expectations about what is appropriate behaviour: that is, reciprocity in all exchanges" (Hyden 2013a, p. 87). The kinship logic has its own basis of rationality in the sense that it "presupposes personal interdependence" between members across all levels of society (Hyden 2013a, p. 86), and it can "penetrate the state definitions of needs and social categories" (Friedland and Alford 1991, p. 259). It can subvert the more formal logics and their ways of determining what is appropriate in public policy. For example, government service or benefits can be based on interpersonal relationships or exchanges of favours and gifts instead of being based on formal operating procedures or legal obligations.

The bureaucratic logic

This logic is based on legal and bureaucratic hierarchies that regulate human activity (Friedland and Alford 1991). Bureaucratic organising principles and structures arose over time in Europe due to patrimonial rule with its fiefdoms, patronage and fealty (Hyden 2013a) and standardising industrial labour (Freidson 2001). When a bureaucratic logic guides the state or a public organisation, it would be "characterised by a strong emphasis on processes, rules, and... impartiality" (Meyer and Hammerschmid 2006, pp. 1002–3). It would be internally focused within the bureaucratic structures. As Hyden (2013a, 2013b) noted, bureaucracy in Africa is a product of transplantation from Europe in the 20th century, when much of Africa was colonised by European powers who set up administrative systems for collecting taxes, organising industry and controlling the populations. The bureaucracy, ideas, practices and structures are prevalent in African public organisations and often blamed for frustrating public policy and services delivery.

The development management logic

This logic is based on private-sector ideas for development processes. It assumes that governments in the South "have yet to achieve modernity, which is why they are deemed to need 'development'" (Cooke 2004, p. 604) and that "management" is a neutral instrument rather than a tool of power or organisational oppression. In this logic, the policy should be centred on the empowerment of society and its marginalised groups (Brinkerhoff and Brinkerhoff 2006). This aspect makes the development management logic distinct from managerialism more generally because of this normative emphasis on promoting societal empowerment and good governance for the citizenry, particularly for the disempowered and vulnerable. The development management logic's values and practices are also based on "results" – bringing measurable results for all members of society with efficiency and effectiveness, and in particular, those who are poor and disenfranchised. It approaches organising with flatter and more team-based approaches, and it has a flexible and open market-based career system. The principles and practices found in the development management logic are more recent arrivals to Africa, according to Hyden (2013b, p. 923). These types of ideas lend themselves to donor goals and objectives and the more short-term nature of donor-driven projects.

The professionalism logic

This logic is rooted in the shared identities, norms and values of the professional fields. A core value of the logic is professional autonomy that a professional individual should base her or his work on the transcendent standards, methods and norms of the profession and away from the undue influence of external actors. Formal and abstract knowledge are hallmarks of professionalism logic, and this specialised knowledge is a key source for a sense of occupational identification and pride common among professionals (Freidson 2001). Some development researchers (Grindle and Hilderbrand 1995; Gustavson 2014) have been calling for greater attention to the role of professionals and professionalism in development processes. They contend that professional identity, ethics and skillsets can positively impact policy reforms and development efforts in the South. Furthermore, the past decades have seen a dramatic increase in professional associations in Africa, with more and more members of society joining the ranks of the professions and thus becoming “contemporary crafters of institutions” in Africa (Scott 2008). Therefore, it is useful to consider the professionalism logic and the other three to better understand public policy and implementation in Sub-Saharan Africa.

Constraining reform and change processes

Institutional logics influence actors’ actions and policy decision-making. That is, actors’ behaviours and decisions are boundedly intentional and situationally constrained by the values inherent within those logics, as well as the sources of identity and affiliation within each logic (March and Olsen 2010; Thornton et al. 2012). Logics limit the choices of policy issues or policy problems within a context, including finding alternative policy options and corresponding actions. When Waldorff et al. (2013) examined how dominant logics effect change processes in healthcare reforms in Denmark and Canada, they found that “change is constrained because only alternatives that respect the principles underlying the logic are possible” (p. 121).

Different chapters in this volume show that similar constraints and principles also influence the policymaking process in Africa. They limit problems that come to the foreground, the policy prescriptions available for addressing them and the organisational structures for implementing them. This can also be illustrated in the processes at work in the anti-corruption system in Zambia. The kinship logic had long prevailed with informal ways of reciprocating favours and gifts, even before the 18th century (Hathaway 2019). Indeed, reciprocal exchanges in Zambia were “a means of circulating scarce commodities” and meeting common needs among tribal groups (Roberts 1976, p. 81). British colonists would later exploit these informal exchanges to control and extract resources through the existing tribal structures and practices (Posner 2005). Today, contemporary discourses on governance and public policy primarily perceive these informal exchanges as a means of circumventing the formal governance structures rather than as a means for wealth distribution.

Alongside liberalisation of the markets and political systems between the 1980s and 1990s, there came a dramatic increase in demand for reforms and restructuring processes in the public sector in Africa, mainly based on principles from the development management and professionalism logics. For example, anti-corruption reforms in Zambia in 1996, 2010 and 2012 entailed new laws that introduced elements of the professionalism logic to provide greater autonomy for it to conduct investigations without undue influence from political actors. The first reform in 1996 stated that the Anti-Corruption Commission should have a board of commissioners oversee the organisation instead of being overseen by the president.

The commission should be allowed to handle its own employment and budgeting processes. These changes would have effectively disengaged it from the executive branch and given it professional autonomy. However, the sitting president was able to ignore the new law and not appoint an independent board of commissioners, and he held back funding for the organisation. Thus, while the new act introduced values of the professionalism logic, this was decoupled from how the anti-corruption system actually operated. In a further blow to professional autonomy, the reforms to the law in 2010 and 2012 actually ceded more power to the president in appointing and removing the Director-General of the Anti-Corruption Commission.

There were also organisational restructuring programs within the Anti-Corruption Commission in 2005 and 2012, which aimed to increase anti-corruption outreaches within local communities and increase the performance and output of organisation members. The programs created new departments within the commission to educate the public about preventing corruption in society. They also introduced new performance appraisals to measure employee performance and provide strategies for improving it. These structural changes were characteristic of the development management logic in two ways. First, the staff orientation would be focused externally on empowering the public to fight corruption. Second, employee performance would become a key criterion for evaluation and a method for managerial control.

However, these changes in line with the development management logic were not meaningfully implemented throughout the organisation. While there was an increase of outreach to the public, made possible by segmenting a new community education department away from the other departments, the rest of the commission remained internally focused within the organisation (Hathaway 2019, see also Waldorff et al. 2013). Furthermore, the new performance evaluations were only implemented ceremonially, if at all. As reflected in Hathaway (2019)'s study, a respondent stated that the performance evaluations were never followed up. They were only an "academic exercise [...] one of those things we do just for the sake of doing it" (p. 158). Most significantly, there were no funds for training programs or promotions based on positive evaluations, so most employees and supervisors did not see the need in conducting them even though there was a formal obligation to evaluate every employee in the organisation (Hathaway 2019).

As also illustrated by other studies in the region (e.g. Szeftel 1998), kinship and bureaucratic logics had long been dominant in the anti-corruption system and the Anti-Corruption Commission in Zambia. Their dominance in the interinstitutional system made it difficult to implement the new accountability policy reforms and restructuring programs. Instead, there were only some symbolic changes in informal ways that were decoupled from how the anti-corruption system and Anti-Corruption Commission operated.

Enabling reform and change processes

The institutional logics perspective can also explain how policy change can be effected. This can be through three mechanisms: *institutional entrepreneurship*, *structural overlap* and *critical junctures of significant historical events* (Thornton and Ocasio 2008).

Institutional entrepreneurship

A central concept for understanding change among institutional logics is institutional entrepreneurship (Thornton and Ocasio 2008). This process revolves around resource-rich actors

who “create new and modify old institutions” (Thornton and Ocasio 2008, p. 115). Institutional entrepreneurs often bring about changes through rhetorical strategies that affirm a new institutional logic. This involves positioning the change project in terms of existing categories and schema and drawing upon the discourses available in other logics (Hardy and Maguire 2008). This is only theoretically possible if entrepreneurs can break from the institutional logics’ norms, values and rules. They are also embedded while also having the resources and authority to make change happen. Here, theory on institutional entrepreneurship is sometimes criticised for “taking agency too far” (Cardinale 2018, p. 132). As Andrews (2013) argued, it is “questionable” that “a ‘supermuscular’ entrepreneur” can reflexively “break with dominant institutional logics and institutionalise alternative rules, practices, or logics” (p. 94). Therefore, it is important to consider how contexts affect actors who try to lead change processes. The institutional logics dominant within those contexts will shape the actors’ motivations, values and aspirations. They are embedded within them and acting as change agents.

Hathaway (forthcoming) considers these social constraints while also showing how an Auditor General in Zambia acted as an institutional entrepreneur in leading change and restructuring processes in the Auditor General’s Office. When the Auditor General’s tenure began in 2003, she began playing a central role in changing how the organisation audited the government and communicated its findings to the public. The kinship logic and bureaucratic logic had long been dominant at the Office of Auditor General, as exemplified in a NORAD report in 2007: “The OAG faced several constraints ... independence compromised ... lack of professionalism and fiduciary duty; the limited scope of audits; and inconclusive and untimely reporting” (Norad 2007). None of the auditors had professional certifications or higher education at that time, and the audit office was informally acting under the president’s control (Hatchard 2014). Furthermore, the office did not engage with the public about the audit reports or findings, and most members of the public were not aware that the office existed (Hathaway forthcoming).

Through processes of institutional entrepreneurship, the professional and development logics started to become more dominant. The Auditor General launched a professionalisation project that rewarded those who increased their professional qualifications and penalised those who did not. She used rhetorical strategies and communicated regularly to employees that their job was a high calling to “follow every kwacha that is spent, wherever it was spent” (Hathaway 2019). The Auditor General was new to the organisation when these processes began. So, she was not already embedded within that context and the logics that were guiding it. She came from the Ministry of Finance, where she already had a set of ideas about the type of professionalisation project that could be deployed at the Office of Auditor General. She also had a large amount of social capital, which was a significant resource when suggesting that organisation members and policy actors follow her lead. Therefore, she used her social status, drawing from her previous experience, and used the same training and certification programs in the Ministry of Finance for the auditors to become certified chartered accountants at the Office of Auditor General. Consequently, the office is now staffed by certified professional accountants, and the quality of the audit reports has improved.

Structural overlap

Change among logics can also happen through “structural overlaps”, which occur when organisational structure and roles cross boundaries with another organisational structure (Thornton and Ocasio 2008, p. 116). This could happen through organisational partnerships,

mergers, collaborations or other means of inter-organisational relations (see *Chapter 18*). Through these means, structural overlaps can create “contradictions in organisations and organisational fields, creating entrepreneurial opportunities for institutional change”. This reduces “constraints and embeddedness of actors and enables central actors to become institutional entrepreneurs” since they encounter new and conflicting logics and ideas (Thornton and Ocasio 2008, p. 116). In this way, social structures are seen as enabling change by opening up a limited set of possible courses of action by orienting organisations and individuals toward particular possibilities and away from others (Cardinale 2018).

This method of change was also evident at the Office of Auditor General, Zambia. Beginning in 2003, the Office of Auditor General began regularly cooperating with other supreme audit institutions. First through a development partnership with the Norwegian Office of Auditor General and later through its involvement with regional and international professional organisations, the International Organization for Supreme Audit Institutions (INTOSAI) and the African Organization for Supreme Audit Institutions (AFROSAI).

AFROSAI and INTOSAI are interrelated professional organisations centred around four strategic goals: providing and maintaining international audit standards; building audit capacity in SAIs; encouraging SAI cooperation, collaboration and knowledge exchange; and being a “model international organisation” that other organisations around the world would want to emulate (INTOSAI 2017). Most importantly, INTOSAI and AFROSAI develop and propagate professional audit standards or the International Standards for Supreme Audit Institutions (ISSAIs). ISSAIs are the foundational principles for the proper functioning of Supreme Audit Institutions and are considered the authoritative international standards on public sector auditing (issai.org).

As the Office of Auditor General engaged with the professional community through INTOSAI and AFROSAI, they translated the community’s ideas, standards and practices. In line with policy transfer or policy translation processes, Wedlin and Sahlin (2017, p. 120) argue that this happens as “these institutional ideas travel” and that “in the continued translation process, actors become carriers as they narrate and move institutional elements and ideas between contexts, but also link them to practice”. The Zambian audit office has implemented audit standards, audit manuals and auditing methods in the office through this process. The Zambian office is also regularly evaluated by INTOSAI and AFROSAI to determine how they implement those standards and practices. Several of these professional audit standards also relate to how the office regularly communicates the findings of audit reports with members of the public through local radio programs in the local languages across the country, which is also characteristic of the development management logic.

Significant historical events

Thornton and Ocasio (2008) argued for one final mechanism of change among institutional logics. That is, change can happen through dramatic historical events that bring “changes in cultural schemas, shifts of resources, and the emergence of new sources of power” (p. 116). These events can dislocate the way societies interpret their cultural and social symbols and structures, leading to new interpretations that transform societal relations. Sewell (1996) calls these “historical events” but notes that they are more than mere occurrences at a particular point in time. Historical events begin with ruptures to the status quo cascading to other ruptures that eventually transform social structures and practices. This happens in clusters of intense bursts – something Sewell (1996) described as the “lumpiness” of historical temporality (p. 843). To Thornton and Ocasio (2008), these types of dramatic events can “erode the

dominance of the incumbent logic” (p. 116), thus either presenting an opportunity for change to occur or “reinforcing” the dominant logic in the face of instability and uncertainty.

Back to the Office of Auditor General, these changes came after significant historical events in Zambia. An economic collapse in the 1990s had brought high levels of inflation and unemployment. At the same time, the newly liberalised media were publishing the scandals and the misuse of public funds in the president’s office. Also, there was increased attention in society on the need for financial accountability in the form of significant public outcry to hold government officials accountable for their use of public resources (Ryder 2011). Following this, a new president was elected to office on the platform of financial transparency (Taylor 2006), who would later appoint as Auditor General, a woman who had played a central role in uncovering the misuse of funds in the Ministry of Finance. It was after this critical juncture that she would lead the organisation and act as an institutional entrepreneur.

Conclusion and implications for further policy research

The institutional logics perspective provides a systematic way of understanding policymaking, reform and administration in Africa. The perspective and typology from Hathaway and Askvik (2021) can explain why political elites make the policy decisions the way they do. They attend to the a range of alternatives and available sets of knowledge constrained by certain logics. This can help explain why some reforms may fail because they do not fit the contexts in which they are to be implemented.

An institutional logics perspective can also explain administrative behaviour based on the inherent logics that guide policy decisions and actions. Whether bureaucrats are internally focused, externally focused or motivated by performance measures, such as in the development management logic, policy actions indicate competing logics or a prevalence of underlying contextual logic. The typology of logics in this chapter also highlights the critical role of professionalism within the African public service systems, often overlooked in most donor-sponsored policy frameworks. It would be helpful for future policy research to apply Hathaway and Askvik (2021)’s typology to other African contexts. While the typology was developed in Africa, it has only been tested in the Zambian context. The applicability of this typology across various African contexts can contribute to the study of African Policy Studies as a discipline.

Also, there is a need to triangulate the institutional logics perspective with other complementary theoretical perspectives in public policy and public administration from the Global North and Global South to generate potentially novel insights and contributions to understanding African Public Policy. An institutional logics perspective and the typologies in this chapter can be used as a complementary framework for explaining why policy changes begin to occur and what types of contextual factors are at play within the process. For example, when considering public policymaking and implementation in Africa, research can focus on how institutional logics impact the different stages of the *public policy cycle*. This chapter shows that the institutional logics embedded within African political contexts can influence our understanding of the implementation stage.

Institutional logics perspectives can also demonstrate how *policy transfer* from donor agencies and isomorphic mechanisms is likely to occur in Africa. Furthermore, policy transfer, as the process of using the policies, administrative arrangements and institutions from one time and place in another time and place (Dolowitz and Marsh 1996), shares some overlapping concepts with the institutional logics perspective. Both perspectives use the concept of “entrepreneur” to describe the resource-rich actors. They draw from existing schema and

value frames to enable change processes. There is also a crossover between the policy transfer perspective and institutional logics perspective as they relate to “supranational organisations” (Dolowitz and Marsh 2000) and the “translation of organisational ideas” (Wedlin and Sahlin 2017) through structural overlap. This chapter also discusses this concerning the international professional organisation for state auditors.

In conclusion, theorising and modelling African contexts of public policy require a combination of different ideas to generate new understandings of how the complex mix of contextual factors impacts each step of the policy process. The dominant logic would tend to lead toward certain courses of action and limit others. These perspectives would give a more clear-eyed view of the role of institutional entrepreneurs and other developments such as those relating to the emerging Open Innovation Systems (see *Chapter 50* for details) that may stimulate and sustain change and policy processes.

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POCKETS OF EFFECTIVENESS (POEs) IN AFRICA

A solution to the policy paradox?

Anne Mette Kjær

Introduction

The role of Pockets of Effectiveness (POEs) in promoting development is generating renewed interest in the literature in development studies (Hickey 2019; Leonard 2008; Roll 2014). POEs refer to government agencies that work reasonably effectively and are dedicated to an aspect of the collective good (Leonard 2008). POEs can, in many ways, be said to offer a solution to what Hyden (2006, p. 117) has labelled the ‘Policy Paradox’ in African public policy. The paradox consists of observing that the policy process from agenda-setting to decision-making and eventually to policy implementation is characterised by political logics of clientelism and Big Man rule (Hyden 2006). However, policy advice is often based not on political logics but on economic and technical grounds. Technical reasoning assumes that implementation is a matter of resources and technology and that the implementation process is not affected by political logics. For this reason, a policy gap often exists, in which development plans and policies look perfect on paper, but the policy papers end up becoming ‘rather menus than meals’ because few of them are implemented (Hyden 2006; Kjær and Muhumuza 2009; van de Walle 2001).

To address this policy gap, the good governance agenda was based on such technical analysis in its reform programmes for strengthening state institutions through various initiatives to build organisational capacity and improve transparency and accountability. But many scholars argued that the good governance agenda suffered from a lack of analysis of feasibility, and hence, few good governance programmes were successful (Grindle 2004). Critics of the good governance agenda argued that reforms lacked a political economy analysis of the country context in which implementation was to occur and ran up against powerful anti-reform interests (Booth and Therkildsen 2012).

During the 2000s, scholars in the political economy literature have observed that even where institutions are generally weak, POEs can exist (Hickey 2019). However, we still know little about how and when POEs emerge. In particular, we know little about political incentives to create and sustain POEs. Such knowledge would be helpful for those who are interested in identifying sectors in which POEs could be constructed. The main objective of this chapter is to present an overview of the literature on POEs. I outline how the research on POEs arose and how POEs are defined and measured. I then discuss political incentives to create POEs, and how these could differ in different policy areas in Africa.

Background: emerging focus on POEs

The focus on POEs emerged from two literature groups: (i) the debate on the developmental state and (ii) a debate on good governance, as noted above. I briefly outline the main features of each in turn.

Developmental states and POEs

The significance of the state's strength and organisation for development was brought back into the comparative politics literature in the 1980s (Evans et al. 1985). Rather than merely reflective of societal interests, public policies were seen as an expression of interests and goals identified by autonomous state apparatuses with bureaucrats eager to perform well. The varying extent to which the state set such overall goals and implement them could mean that economies experienced very different development outcomes. Scholars mainly turned their attention to the study of the East Asian tiger economies. As the first to coin the term, the 'Developmental State', Chalmers Johnson (1982) emphasised the role of Japanese Ministry for Industry and Trade (MITI) in creating successful industrial policy and thereby motioning the post-war Japanese miracle. MITI gave overall direction to the country's industrial development and formulated policies that helped the country move in that direction. The capacity emerged from its dedicated and capable staff. But just as important was that MITI developed ties with, and worked together with, industry actors.

This state-business collaboration ensured that policies were informed and aligned with the needs of the targeted industrial sectors. But the collaboration also facilitated the implementation of industrial policies because it ensured that industry actors cooperated and abided by the policy goals, e.g., to contribute to common research and development efforts or live up to export targets. A few years later, scholars identified such developmental capabilities in South Korea and Taiwan (Amsden 1989; Wade 1990).

Even if the first developmental states scholars did not analyse the states as such, but rather agencies within it, the term Developmental State came to be used as a generic reference to the East Asian states in the comparative politics literature. Evans (1995), for example, placed states along a continuum based on their extent of developmentalism. On one end, Zaire under Mobutu represented a predatory state. On the other, South Korea represented a developmental state, where 'the state's ability to facilitate industrial transformation was ... rooted in the coherent, competent bureaucratic organisation' (Evans 1995, p. 51). In between the predatory and developmental state apparatuses, Evans identified intermediary types such as Brazil and India. 'Unable to transform the bureaucracy as a whole, political leaders in Brazil tried to create "pockets of efficiency" within the state apparatus' (Evans 1995, p. 61). Evans thus sees POEs as a feature of these 'intermediary state types'. However, later contributions have shown that even the East Asian developmental states were not entirely free from clientelistic components, including collusive state-business relations (Lim 1998). Concerning Brazil's POEs, Grindle pointed to how patronage and meritocracy often co-existed. 'Brazil's POEs were not only set on a path toward technical decision-making and good performance through presidential patronage but were also encouraged to employ patronage-based principles with their own internal hiring processes to secure staff the right mix of technical expertise and political loyalty' (Grindle 2012). Moreover, Evans remained quite vague about what characterised intermediary state types (Hout 2014).

Africanist scholars took the debate further by focusing and elaborating on these intermediary types. Early on, it was the question of whether developmental states were possible or impossible in Africa (Hillbom 2019; Mkandawire 2001). As pointed out by Mkandawire (2001), the dominant

argument was that developmentalism of the East Asian kind would not be realistic in Africa due to widespread clientelism. However, scholars soon pointed to many aspects of developmentalism in Africa, not only in the often referred to cases of Botswana and Mauritius but in the rest of Africa, even in clientelist or so-called predatory contexts (Hickey 2019; Kelsall 2013; Mkandawire 2001). As Sam Hickey notes, ‘successive research projects into the politics of development in Africa have found, without deliberately setting out to look for them, that POEs emerge as critical to explaining what works’ (Hickey 2019, p. 4) and could therefore provide the needed insights for improving policy effectiveness in political contexts or policy environments that are more likely to produce policy failure.

The critique of the good governance agenda

As multi- and bilateral donors presented it, the good governance agenda was about supporting reforms that would strengthen institutions and make them more transparent and accountable (World Bank 1989, p. 2000). It entailed a long list of reforms such as public service reforms, pay reform and anti-corruption initiatives. Critics of the good governance agenda have been numerous. For example, the assumptions about good governance causing growth, the Western liberal normativity underlying the concept and the ‘institutional blueprint’ assumptions that institutions based on other countries experiences can be copy-pasted in a different context were all criticised (Kjær 2014).

In a seminal article, Merilee Grindle (2004) pointed to the long and ever-expanding list of governance reforms supported by donors in developing countries. Rather than focusing on the governance gaps in recipient countries, Grindle argued, it would be important to find a way to prioritise and sequence reforms based on what was actually doable. Grindle, therefore, called for more research on how to identify what would be good *enough* governance in terms of a set of minimal conditions of governance necessary to allow political development to occur (Grindle 2004, p. 526). Similarly, Mushtaq Khan (2010) argues that the political settlements that characterise developing countries do not allow good governance reforms to be implemented. In Khan’s definition, a political settlement is the balance of power in society, and it aligns with a country’s institutions. Political stability in developing countries is maintained by appeasing powerful groups who could otherwise threaten the ruling elites hold on power. This means that good governance programmes can potentially threaten a delicate political order. Therefore, rather than adopting the broad governance reforms, reformers should focus on specific sectors or areas where what Khan calls ‘growth-enhancing governance’ is possible.

Two overriding messages from these critiques of the good governance programmes, which both point to the relevance of POEs, are: (i) recommending policy and institutional solutions to the problems of poverty and development cannot be done without considering the political feasibility of such solutions (Leftwich 2010). And (ii) it is important to disaggregate state institutions to study variability between different sectors and levels of government (Roll 2013; Whitfield et al. 2015). For example, a country can have an efficient drug authority and inefficient natural resource management (Roll 2013). The increased attention to this within state variability is summarised by Richard Crook (2010, p. 480) who emphasised that the best way forward after decades of failed public sector reform is to identify and work with “islands of effectiveness”, encouraging and spreading more effective kinds of incentives and developing more positive organisational cultures (see, for example, Chapter 6 of this volume for more details on this).

Definition, characteristics and measurement

POEs are called different names, i.e., ‘Pockets of productivity’ (Leonard 2008); ‘Islands of efficiency’ (Crook 2010), ‘Pockets of efficiency’ (Evans 1995; Mehri 2015), or Pockets of effectiveness (e.g., Kjær et al. 2021; Roll 2013). The latter seems to be the term most commonly used, probably because the term ‘effectiveness’ refers to whether an organisation turns inputs to outputs and whether the organisations’ efforts also lead to a societal outcome. As Roll (2013) emphasises, effectiveness refers to whether a public organisation successfully does what it is officially mandated to do.

Despite the different names, however, authors seem to refer to roughly the same defining features (Roll 2013, p. 1), namely ‘Public organisations which deliver public goods and services relatively effectively in contexts of largely ineffective government’. Leonard (2008) is a bit less demanding of his definition because he refers to only ‘some aspect of the public good’. To him, POEs are agencies that are ‘reasonably effective in carrying out their functions and in serving some conception of the public good despite operating in an environment in which most public organisations are ineffective and subject to serious predation, corruption, patronage etc’ (p. 8).

Within a generally weak state apparatus characterised by low capacity and clientelism, POEs are an exception. Contrary to most other state agencies, they are mainly able to deliver on their mandate. However, how are POEs identified? An ideal way to study the causes and effects of POEs would be to select them not on performance but organisational characteristics alone. Evans (1995, p. 12) summarised the main characteristics of a POE in the term ‘Embedded Autonomy’. Although Evans used this term to describe the developmental state, the term arguably is much more useful to describe particular agencies. Highly meritocratic recruitment for these agencies and career rewards would create a commitment to the organisations’ goals and a corporate coherence, resulting in autonomy from penetration by particularistic interests. A POE is autonomous in that it can set goals and chart directions over and above the interest of any particular group. Agencies are also linked to society through more or less formalised networks, ensuring crucial sector knowledge and facilitating the collaboration of sector actors in implementing policies, hence the Embeddedness.

A POE cannot become either too embedded or too autonomous without losing its defining feature of effectiveness. As Fukuyama (2013, p. 356) points out, autonomy, in addition to the bureaucratic autonomy Evans emphasises, also needs political autonomy, referring to how the head of government issues mandates to the bureaucrats. The fewer and more general the mandates, the greater autonomy the agency possesses. A non-autonomous bureaucracy is micro-managed. But on the other hand, an overly autonomous agency is not accountable and risks carrying out non-informed policies that are not in line with government policy. Likewise, too much embeddedness is risky because the agency can become prone to serving particular interests over others and lose direction. Although the idea that there needs to be a balance between ‘embeddedness’ and ‘autonomy’ in a POE makes sense, scholars have, however, highlighted the often more complex reality in which patronage, political loyalty and merit has to coexist, cf. the Grindle quote above (Hickey 2019). Hence, identifying a POE only on the balance between embeddedness and autonomy would be challenging because there is no such thing as an absolute standard of autonomy or embeddedness.

In addition to Embedded Autonomy, most of the POE literature emphasises that the agency needs to be well managed and have a certain performance-enhancing culture. According to Therkildsen (2008, p. 28),

in well-performing organisations staff have a sense of mission and purpose; management gives clear signals about expected work effort and quality and rewards accordingly (monetary rewards where this is possible; besides promotions, study leaves, recognition, respect, etc.); and some extents of participation, flexibility, teamwork, problem solving and equity are practised.

However, it is perfectly feasible to think of well-managed organisations, but they cannot deliver on their mandate for some reason. They can be underfunded and understaffed, or they are perhaps forced to operate in a challenging context, making it impossible for them to reach their goals, however well managed they are.

Hence, identifying POEs on organisational characteristics alone is challenging. Scholars tend to be more pragmatic and choose cases based on their performance rather than through a more systematic case selection process (Hickey 2019, p. 36). As Hickey notes, this makes it difficult to know objectively whether some organisations systematically perform at a higher level than most other organisations. Measures such as the World Bank's Governance Indicators are of little value here because they operate at a general country level. But the assessment of whether an agency is a POE can only be done relative to other agencies in a country or agencies with a similar function in countries that share many similar structural features. Thus, most scholars rely on country experts to identify well-functioning government agencies. For example, Therkildsen and Tidemand (2007, p. 39) use seven-country experts to identify well-functioning ministries in Tanzania and Uganda. They noted that the country experts were in remarkable agreement about which agencies performed best. Hickey and colleagues (the Effective States research at Manchester University) also rely on expert surveys. Key informants were invited to identify what they saw as the highest performing public agencies. They interviewed between 20 and 30 countries in the countries where they did their research.

So, scholars have done what was possible: identified POEs based on their performance, and then sought to identify their organisational and managerial characteristics, which are by now well researched and can be summarised as some sort of balance between embeddedness and autonomy, combined with good management, and motivated staff, often through a certain organisational culture. What has been less well researched is under which conditions POEs emerge.

Factors explaining the emergence and sustenance of POEs

Since the early 2000s, several contributions have focused on what made a POE effective. Perhaps because there had been a lack of knowledge of these features of POEs and scholars were preoccupied with filling this gap, there has been much less focus on the politics of creating and sustaining POEs. POEs need a continuous and reliable resource flow, they need to be allowed some autonomy from political interference, and they need political protection from special interests. All that is hard to achieve without a political commitment from the head of state. But when do heads of state have incentives to create POEs, given that it is impossible to strengthen all state agencies at once? It is evident that an understanding of the political coalitions, the various powerful interests and the incentives of the ruling elite is key here, and that we still do not know much about these politics.

An emerging body of literature uses the political settlement approach (Khan 2010) to make sense of the politics affecting institutional and policy outcomes. The point of departure here is the different political cleavages created by the mode of production combined

with other dividing lines such as religion and ethnicity. The balance of power gives rise to a certain type of political settlement, e.g., it can be more or less fragmented, and power can be more or less concentrated. Since the ruling elite will constantly juggle between powerful factions to stay in power and maintain political stability, building and sustaining a POE will only be possible if it does not hurt the interests of powerful factions (Khan 2010). The more fragmented the political settlement is, the harder it is to build and maintain a stable coalition and the more difficult it will be to build POEs.

Based on a political settlement approach, Sam Hickey (2019, pp. 36–7) thus usefully puts forward some propositions about the conditions for the emergence of POEs. For example, he hypothesises that when power is concentrated, the creation of POEs will be more likely than in political settlements where power is fragmented. It can lengthen the time horizons of the ruling elites. However, I argue that there would be a need for additional sector-specific hypotheses. The politics of, say, extractive natural resources must differ between countries according to the country-specific political settlement. Still, it must also have some general features that are different from, say, the basic economic functions of a government and the specific characteristics of the social sectors. Hence, in the following, I tentatively discuss the politics of different sectors and how political incentives to create POEs would look like in each of them.

The macro-economic sector

The core economic functions of a state are important for the ruling elite to survive in power. Not only will economic stability and steady growth make it more likely that the government will be voted back in power at election time. International financial institutions also are more likely to give grants and loans if macro-economic adjustments are handled well, inflation kept in check and the state is not overly indebted. After the structural adjustment reforms of the 1980s and early 1990s, analyses thus showed that economic technocracies were generally strengthened by the reforms (Grindle 1996). Even today, ministers of Finance have been identified as POEs (Hickey et al. 2019). Still, new contributions from the Effective States and Inclusive Development Research Centre (ESID) have shown that the degree of effectiveness has varied over time in countries like Uganda and Ghana, which used to be referred to as model reformers.

For example, in Uganda, the Ministry of Finance and Economic Planning (MFPED) was strengthened after the early 1990s when President Museveni genuinely committed to reforms and appointed a respected technocrat as Permanent Secretary (Mutebile 2010). This happened when power was still more concentrated. As the National Resistance Movement (NRM) government's time in power grew, the coalition became more vulnerable with increased competition between factions. Bukenya and Hickey (2019, p. 1) show that this shift to a more vulnerable and populist ruling coalition 'profoundly altered the "embedded autonomy" that MFPED had previously enjoyed with regard to its relationship with State House, in ways that have undermined MFPED's capacity to deliver on its mandate'. Similarly, Abdulai and Mohan (2019) identify Ghana's Ministry of Finance as a POE and analyse how its effectiveness has changed over time.

In all, political incentives to strengthen core economic functions and create POEs among economic agencies should be likely to exist because they help maintain economic stability and attract loans and grants, which allows the ruling elite to build political legitimacy. However, this can easily change over time if urgent patronage needs arise.

The revenue and taxation sector

While collecting tax and extracting revenues are key for the state to function, it is not certain that there are generally strong political incentives to collect domestic taxes. Paying tax is not popular, and the government needs to win elections. At the same time, if the ruling coalition is vulnerable, the ruling elite may lose support if they tax powerful groups. Early European history preparing for war and waging war was costly and forced rulers to tax their citizens (Levi 1988). There may be a threat to regime survival in Africa, but the continent has not generally been characterised by interstate war (Herbst 2000). The pressure to collect domestic taxes may be weaker if the states have other sources of income, such as extractive natural resource rents or access to loans or grants (Prichard 2015).

While political incentives to tax citizens may be relatively weak, this is not the case concerning Multinational Companies (MNCs) in the extractive resource sector for many reasons. There is growing resource nationalism in many African countries with newly found resources (see, e.g., *Chapter 54*), raising citizens' expectations that political elites and people should benefit from rising resource rents (Jacob and Pedersen 2019; Kjær et al. 2021). Regular elections make ruling elites want to show that they can regulate and tax the MNCs. Also, ruling elites need resources to maintain the coalition and stay in power. Hence, while autonomous revenue agencies in many countries have struggled to maintain their autonomy against political interference, this has not been the case regarding the agencies, which tax and regulate the extractive industries.

For example, in Uganda and Tanzania, ruling elites have actively constructed POEs in this sector. Protecting them from excessive patronage pressures makes some degree of merit recruitment and organisational learning possible. Ruling elites have supported the agencies in their negotiations with large MNCs (Kjær et al. 2021). Such conditions have emerged because there are significant political gains in creating POEs in extractive sectors, whereas the political costs are relatively low (Kjær et al. 2021). However, such extractive sector POEs do not ensure that the natural resource rents are spent to benefit the population or not become a state patronage network. For example, the Angolan oil company SONANGOL has a reputation of being a POE 'thriving in tandem with the implosion of most other Angolan state institutions' (Soares de Oliveira 2007, p. 595). Ricardo Soares de Oliveira (2007, p. 595) shows how Sonangol's competence has not led to the benign developmental outcomes one would expect from its successful long-term 'capacity building'. Instead, Sonangol has primarily been at the service of the presidency and its rentier ambitions.

There should be no strong incentive to collect domestic revenue from income tax and VAT, which is unpopular and can reduce political legitimacy. However, there should be stronger incentives to tax MNC, particularly in the extractive resource sector where potential revenues are substantial.

Land and property rights

Most observers point to the increasing incidence of land-related conflict in sub-Saharan Africa in the new Millennium due to several factors such as population pressures, growing demand from investors, growing competition over land and reforms to implement titling (Boone 2013; Moyo 2009). State institutions to manage the land conflict are generally observed to be weak, and generally, PoEs to manage land conflict or address land conflict do not appear to be in place. The explanation from a political economy perspective would be that there are few incentives to address such issues. In general, upholding property rights is very expensive and demands already strained state resources (Khan 2010). Besides,

governments have managed access to land since independence has helped maintain political order (Boone 2013). For instance, the state has led chiefs to handle land in rural Ghana to maintain their support, which has been perceived as necessary for political stability (Boone and Kwame Duku 2012). In Uganda, Kjær (2017) showed how Museveni's government had faced a situation in which enforcement of land laws is difficult because it threatens to alienate politically important factions. In other words, POEs are not likely to emerge in the area of land reform.

The productive sectors

The literature on political incentives to devise and implement developmental policies in the productive sectors (here, industrial policy is defined broadly as covering manufacture and agriculture) has shown weak incentives to carry out the industrial policy without significant systemic pressures. This is because the potential gains in national development and increased political legitimacy are uncertain and often only materialise after several years. Conversely, the political costs are often very tangible and immediate. For example, a successful policy towards the ocean or lake fisheries will imply regulations that might limit access to the fisheries resources, which might hurt powerful interest groups. So, incentives to build an efficient regulatory agency might be weak.

In their study of the politics of industrial policy in Ghana, Mozambique, Tanzania and Uganda, Whitfield, Buur, Therkildsen and Kjær (2015) found that most of the 12 productive sectors studied, there were no effective agencies. However, in sectors where there were mutual interests between ruling elites and sector actors to develop the sector, an effective public agency to help develop and regulate the sector could emerge. This happened, for example, in Uganda's dairy sector, in Mozambique's sugar sector and in the Ghanaian cocoa sector because developing these sectors also helped ruling elites maintain their coalition and thus stay in power.

Since the 1990s, most African countries have institutionalised relatively competitive elections (Bleck and van de Walle 2018). Elections should, in theory, offer political incentives to adopt a policy to favour the large majority of voters who remain rural citizens engaged in stallholder agriculture. One should expect incentives to push for improved extension services, better access to credit for smallholder farmers or better markets for inputs, and well functioning agricultural agencies to implement such policies (Kjær and Therkildsen 2013; Poulton 2014). However, several studies show that incentives to promote smallholder agriculture remain weak. Agricultural service reform and input provision are often subject to politicisation where input subsidies are used as patronage (Dorward 2009; Kjær and Joughin 2019). Rwanda and Ethiopia's relatively successful agricultural policies have been argued to be driven, not by elections, but rather by a type of systemic threat that incentivises the ruling elite to use agricultural policy to gain political control (Berhanu and Poulton 2014; Booth and Golooba-Mutebi 2014). To the extent that such successful policies include establishing POEs, this would only be likely when it helps consolidate the ruling coalition.

Strong incentives to promote productive sectors by creating effective agencies to carry out industrial policies do not exist because the results are uncertain and will emerge after many years. In contrast, concerns to stay in power often require attention to short-term measures to buy immediate political loyalty and legitimacy. However, sector-specific incentives can emerge if promoting a certain industry helps consolidate the ruling interests because there are mutual interests between sector actors and the ruling elite.

Infrastructure: electricity, roads and water

Building infrastructure often features prominently in governments' visions for their countries and their national development plans. Hyden's policy paradox can easily be detected in this field, because of the often inadequate infrastructure provision, particularly in rural areas (Imi et al. 2016). For example, while road infrastructure has improved somewhat in the new Millennium, it is still far below the world average of road density. Herbst (2000) noted how post-independence leaders lacked the incentive to broadcast state power (such as building a road network). Herbst argues that the lack of incentive comes from the lack of systemic vulnerability in the form of an external threat to state survival combined with the problematic political geography in many countries.

The political economy of roads provision is difficult, with incentives for roads construction to be used for rent access and patronage. For example, Booth and Golooba-Mutebi (2015) analysed road sector reform in Uganda. They found that despite a vocal commitment to build and support new formal institutions in the sector. They saw no sign of the emergence of 'a strong coalition of forces favouring more efficient public spending on roads or effective support to the national road construction industry' (p. 16). The same logic of a lack of incentive can apply to power and water provision. However, it would be important to distinguish between urban and rural areas in all sectors because incentives often differ. Urban constituencies are generally believed to pressure ruling elites as they often constitute powerful factions important for making up a stable ruling coalition (van de Walle 2001).

Hence, Bukenya (2020) shows how the National Water and Sewerage Cooperation (NSWC) in Uganda emerged as a POE after the World Bank and the Ugandan government collaborated in reforming it. However, after the first decade, 'The ruling elite turned to the newly effective NWSC for rents and building its urban popularity. The pressures from this incentivised NWSC leadership to prioritise activities with visible and immediate commercial benefits at the expense of long-term operational sustainability' (Bukenya 2020, p. 1). So, building a relatively well-functioning agency was possible, although some of the effectiveness was subsequently compromised due to favouring certain urban constituencies. Likewise, the power supply has often been channelled to important political factions, whereas clean water and electricity have generally been in short supply in rural areas.

Social sectors

There was an increased focus on and support for education and health provision with the Millennium Development Goals. Such a provision can be a challenge when governments act under often quite severe budget constraints. As with agricultural extension services, electoral competition can be expected to incentivise governments to deliver such services to gain votes. Indeed, Stasavage (2005) has found evidence that multiparty competition has increased expenditure for primary education in Africa, whereas expenditure for tertiary education has not increased. But, as noted Hickey and Hossain (2019, p. 1), it is easier to 'build schools, abolish fees, recruit more teachers and instruct parents to send their children, than it is to ensure that schools, teachers, and students are equipped and motivated for teaching and learning once there'. While elections can focus on increased expenditure on primary health and primary education, it is much harder to deliver quality services. And incentives to do so, once elected, are accordingly weaker. A parallel argument about incentives could apply to the health sector.

Conclusion

Given that most African government budgets are highly constrained, creating POEs to effectively promote certain sector policies is increasingly seen to close the so-called policy gap in African public policy. This chapter has outlined how the debate on POEs emerged from the literature on the Developmental State and a critique of the good governance approach. As organisations that can efficiently carry out their mandate, POEs can effectively implement sub-sector policies. However, while the features that make POEs effective are well described in the literature, the political incentives that induce ruling elites to support a POE's creation and sustenance are less well known. This chapter has taken a first step towards offering an overview of what we know of the political economy of POEs. Second, I have tentatively offered some indications of how this research can be taken forward by looking at sector-specific political incentives while presenting cases and insights on how some policy programmes can be made effective. Given that the very definition of a POE is that it exists as an 'island' within a clientelistic state, the question of prioritisation is unavoidable. What is more important, for example, roads or education? Just as the good governance agenda missed the state's variability, a focus on POEs risks losing the bigger picture. Thus, prioritisation can only be decided in each country's political deliberations and decisions on the allocation of values for society, processes in which citizens should arguably have a say.

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PART II

Understanding policy framing in Africa



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8

POLICY IMAGES IN AFRICA

Eric E. Otenyo

Introduction

Africa has been in the news as a continent on the rise. Old problems like lack of electricity, death from HIV/AIDS, poor road infrastructures, and stories of mass hunger and political turmoil are increasingly being replaced with narratives of change and gains in living standards. Although gains are visible, problems still linger. This recent history of transformation has triggered greater interest in policy studies and policy analysis. One might observe that the promise of public policy as opposed to public administration is a welcome approach. And perhaps, there is a surge in capacity for policy analysts instead of reliance on “administrative men and women” whose jobs as generalists have been criticized for the poor performance of Africa’s civil service. The experts in policy analysis have followed these stories with perspectives from their different academic disciplines. But common to all the narratives on policy solutions is the central idea of policy images. Not only does it provide a clue or feedback on the success and failures of various policies implemented in the name of finding solutions to Africa’s problems. The idea of images also suggests the policymakers and implementers have a particular understanding and ranges of ideas to projects on behalf of the various stakeholders and interests, most of whom are public members.

Put differently, finding solutions to the numerous development problems means unearthing what the particular policy has endured in the first place. If it has not worked and needs change, how do we picture or frame the policy’s entire narrative surrounding the policy? This leads us to lay out a very important piece of the theory of the policy processes. To understand why a policy has endured or changed takes a keen look at the policy ramifications and outcomes and creates images to undergird our assessment. In other words, policy analysis uses empirical information and emotive appeals to paint the picture and provide an image of the problem at hand. The concept of policy images is deeply entrenched in policy sciences, and policy entrepreneurs use the media and other avenues to redefine the policy image until it captures an audience ready to move forward with an agenda for change. This chapter first defines policy images and then describes the theories that inform the discourse on policy images before delving on to discuss applications of the concept to African problems.

Perhaps, the best place to discern images is in press or media coverage of issues and content analysis of political speeches, especially those associated with leadership and have power

over public bureaucracies. In this chapter, I rely on such qualitative discourses to explore the dynamics of policy images in African development. Three areas of development are selected to illustrate the concept: images in food security, public health, and tourism sectors. For in-depth analysis, I focus on cases in Kenya while identifying a few generalizable examples in other African countries where necessary.

Defining policy image

Policy images combine information derived from empirical knowledge and emotional appeals that influence perceptions of a problem's magnitude and scope. The images are shared ideas and official texts about existing and ideal conditions of a policy. These images are the information upon which policymakers and implementers design solutions and mitigation actions. This implies that policy images explain how a policy problem should be portrayed or seen and how the issue or problem should be solved (or addressed) within the institutions. According to Baumgartner and Jones (1993, p. 7), policy monopoly constitutes the institutional arrangements, which are responsible for policymaking. Because policy makers address few priorities, images and ideas shaped or associated with institutions structure the policy process.

The logic of policy image is fairly simple; a policy that has worked well (i.e. successful) is represented through a positive image. In other words, proponents of the policy have few reasons to change the policy. The contrary view is that an image of negative manifestations of a problem must be evident if the change is proposed and policymakers are persuaded to reject the particular policy monopoly. For illustration, witness this, policy on solving transportation problems in Nairobi included programs that would create highways. The government attempted to inspire enthusiasm for improved road infrastructure in Nairobi and received some support from the ruling elites because the idea implied a positive image by stressing the reduction of traffic jams. Concurrently, the Nairobi City Council and its successor, Nairobi County, had for generations promoted a policy of increasing its housing units to cater for its residents, many of whom live in slum areas. For a while, the county government promised urban renewal and, in public interest, presented an image of improving unplanned settlements in a gradual manner (Fihlani 2015). Differently put, incremental upgrades of existing homes were the policy monopoly. The broad public supported that seemingly humane and informal settlement improvement agenda. It conjured a policy image whose outcomes were easy to defend in terms of political costs.

Later, the Kenya Urban Roads Authority (KURA) announced it would build roads in the Kibera settlements. However, as activists reframed the issue as one of abusing the human rights of the marginalized, the enthusiasm faded. Thousands of residents resisted, protested, and lost a case in court to stop the demolitions. Reflecting similar outcomes on the demolition of houses in Cape Town, South Africa, in August 2018, Kibera residents argued that the demolitions and evictions were carried out without due process and contravened international human rights conventions. Additionally, human rights groups, including Amnesty International, deemed government action illegal and a betrayal of resettlement plans previously worked out. Fast forward, in 2018, over 30,000 residents of Kibera, one of the slums, were rendered homeless as bulldozers razed down the informal settlements to pave the way for the construction of a dual carriage highway through Kibera (BBC 2018). Thus, the highway proponents focused on the benefits of easing transportation, mostly for the more affluent city residents, as opposed to the image of eradicating housing shortages and the danger of increasing homelessness in the city. The policy of highway expansion was seemingly framed in images that were at odds with providing adequate housing for residents. In sum, the ensuing highway enabled the

government to shape a policy image of modernization of road systems in the city. Thus, policy images can be used for reinforcing and redefining government agendas.

The literature

The policy images literature is traced to efforts to understand the policy process through the lens of changes, why policies endure or collapse. John Kingdon (1995) posited that an insightful way of understanding the policy process is to consider its policy images. He was interested in the broad idea of agenda-setting. Kingdon's framework is about the active role of policy entrepreneurs and leaders in creating public concern and efforts to generate pressure for new strategies to be put in place to solve a problem. His work suggested that ultimately a policy received positive or negative feedback within a political subsystem that translates the demands into new policies.

The theoretical concern with policy change was expanded in Baumgartner and Jones (1991, 1993), and Jones (1994) work built on the big idea of agenda-setting premised on how a policy is defined through images. The images serve as an integrative force for policy coherence. The glue helps the policymakers link their issues and interests to provide the required direction and unite the various constituencies. They posit that policy images are important for defining issues and informing collective actions to solve the identified problems. Baumgartner and Jones (1993) provided a theory of policy change, a breakaway from an existing equilibrium. This framework notes that policy changes from its consistent image after a while, shifting from its stable condition. The importance of policy images is evident in the common language that describes the particular policy problem (Jordan 2005).

The literature suggests that images attract new participants in the policy process. Policy images are really about framing an issue to confine and structure feedback and communication of policy information. Issue framing is part of focusing attention on a particular area of concern. In many instances, issues can be framed to make them appear "technical" and out of the reach of comprehension of ordinary people (Rocheftort and Cobb 1994, p. 5). Then, such technical issues become the province of experts, thus not receiving much participation from the masses. For an issue to attract huge public participation, it must be framed through images linked to widely accepted values and ideas specific to a country or culture. In Africa, such values may include "development," "progress," "fairness," "equality," and "freedom."

This assertion implies that negative feedback exacerbates impulses for changing course and finding new solutions to the existing problem. If the image is negative, then policymakers are likely to change the policy. Images have to be presented in a way that appeals to powerful members of society (Hogwood 1987, p. 30). The policy issues that I consider in this chapter are multi-faceted and, therefore, are projected through a wide range of images, such as health, human rights, and economic development. That is why the overarching umbrella policy has recently been packaged under the long-term development plans such as Kenya's Vision 2030, Cameroon's Vision 2035, and Lesotho's Vision 2025, including regional policy frameworks, namely, African Union's Agenda 2063. In theory, a successful policy means support for the government's agenda and development manifestos. This implies that any changes to a given policy are likely to be incremental, given the conservative most political systems in Africa (see previous chapters). That, of course, is based on regime values which the political system has maintained since independence. Over the years, the system allows for participation through periodic elections.

Negative policy images can force governments to create new institutional arrangements. As new policy venues, the attendant departments are tasked with finding solutions to the problem as articulated in the images. Conversely, successful implementation of policy project may result in downscaling of bureaucratic responses and reorganizations. The policy orientation in Africa's finding solutions to Africa's development challenges can also benefit from understanding policy images as a subset of social constructions of public policy. This seems intuitively reasonable, according to Deborah Stone (2002). Stone sets the tone by explaining that policymakers use symbols and numbers to push forward agendas and tell a story (p. 172). Thus, numbers may conjure images of how serious a problem is and illustrate how bad a situation is getting.

As I shall elaborate, in the case of hunger, O'Neill (1996) states, "it helps to have a few figures." According to him, the presentation of hunger as a problem linked to high human populations reminds policymakers that sustained overpopulation is one way of mitigating against hunger (pp. 87–8). Thus, numbers provide political leaders with psychological tools for priming behaviour. That is, numbers support campaign strategies by amplifying a particular policy position. And people tend to conform to the majority opinions after being repeatedly exposed to a dominant view (Schafer 2008; Wood and Vedlitz 2007). More importantly, politicians and policy entrepreneurs might want to provide figures that paint them in a positive light. Thus, in the realm of public health policy, Tanzania, for example, did not disclose the accurate numbers of those who died from COVID-19. The lack of transparency was because the government wanted to give President Magufuli's narrative credence that his government had ended the pandemic with God's help (Hourelid and Lewis 2020). On April 24, 2020, the government announced 299 cases and 10 COVID-19 deaths in Tanzania. The numbers rose quickly, and the government stopped providing updates on the COVID-19 situation in the country.

Numbers matter in public policy. Presenting fewer numbers means that policy solutions are working, and the problem is being solved. It was a form of games being played to use Bardach's (1977) metaphor to, perhaps, give the business sector the green light to continue operations amid the pandemic. The game is about policy implementers trying to remove or lower uncertainty surrounding the outcomes of the policy. At the same time, Schneider and Ingram's (1993) work on the social construction of target groups reinforces our understanding of empirical data on who benefits when a problem is solved through collective action. They contend that the "target populations have a powerful influence on public officials and shape both the policy agenda and the actual design of policy" (p. 334). The idea of the social construction of target groups is important in Africa because it tells why some populations get benefits such as relief food and vaccines, or are displaced to benefit tourist resorts. In many ways, policy targeting reifies the policy image as socially constructed. They also suggest that the targeting is a proxy for the affected group to react to the political activism in support of the programs designed to benefit that particular targeted group. These are very briefly important in outlining how scholars learn policy outcomes and processes in the African context.

Moving forward, I focus on three randomly selected policy areas that are considered recent and adequate to illustrate the importance of policy images in African settings. Further, the issues selected are fairly distinct and relate to a vast majority of African political-economic systems. Therefore, they offer a meaningful way to understand the primary policy concepts under review.

Policy change in the realm of food security

The dimensions of famine and food insecurity have remained steady over time. For example, in Ethiopia and Kenya, two issues of famine and hunger have been subject to sustained policy

scrutiny and controversy. Within these sets of policy problems and concerns are questions about the state capacity to steer resources to its agricultural sector to ensure food security. Typically, evidence that hunger has crept into society receives front-page news coverage. In the 1980s, pictures of malnourished children begging for food on the streets sent home the message that Kenya's drought situation had turned into famine. The 1979–80 national drought was not the first in the region. For example, prior droughts in pre-colonial days and 1970–71 and 1973–74 in Kenya were established. This time around, the difference was that the scale and magnitude prompted a change in the national food security crisis. By affecting over 25% of the population, it was the moment of punctuated equilibrium.

The policy image was curved around the idea of failed production and marketing system. Most important, western media portrayed, in sensational terms, the absurdity of African agricultural market systems. In other words, the maize markets were awfully controlled to allow for efficiencies to occur. To donor nations, food shortages were framed as predominantly man-made political problems of inefficient markets, poor governance, neglect of research, and only marginally attributed to weather-induced circumstances described in Kenya's official press releases (Otenyo and Mwangi 2009, p. 506). A sympathetic view of the government narrative was that global warming had increased desertification and contributed to the food shortages in Kenya and the Horn of Africa. The media amplified all these perspectives and induced emotional responses in the developed countries where fundraising activities were organized to save the hungry, dying African children.

In Kenya, the 1980 drought birthed the Sessional Paper No. 4 of 1981 on National Food Policy, the first major policy change that allowed greater private market control of the food supplies. It may well be construed to reflect Baumgartner and Jones' (1993) punctuated equilibrium model of policy change. It was a dramatic shift and not a gradual attempt to address a huge food crisis. Still, shortages endured. And in 1984–85, another drought emerged, further drawing attention to donor countries, which became more forceful in promoting larger cereal sector reform programs (Cohen and Lewis 1987). The result was an infusion of massive donor support ranging from the European Union, World Bank, and USAID initiatives. Following the 1984–85 food shortages, these donors pushed for liberalization of grain markets and became the major policy drivers.

Thus, in addition to market policy reforms, donor countries prescribed food aid to solve the food insecurity situation. The charity orientation undermined the goal that Kenya, Ethiopia, and other African countries had instituted in their food policy aspirations (e.g. the Republic of Kenya 1965). President Moi of Kenya expressed his anger at the loss of food sovereignty and asserted that "a hungry nation has no voice, for, as it trundles its begging basket from nation to nation, it cannot really claim to have much self-respect left" (Moi 1986, p. 51). The same was experienced in Malawi following the 2001–02 famine (Devereux 2002). After the deteriorating supply of food, Moi's government, in 1989, established a new policy venue through a ministerial reorganization that founded the Ministry of Supplies and Marketing to oversee the cereal sector reform programs. Another food policy document emerged in Kenya to reinforce the free movement of food grains in the country. The *Sessional Paper No. 2 of 1994* reiterated the policy goal of food self-sufficiency and developed road maps for pricing, marketing, research, and production of various key food commodities. However, the food policies in Kenya failed to focus on increased consumption of indigenous foods and instead shifted consumption toward more food imports. This shift favoured rice and wheat products imported from western countries and deeply entrenched the country into global food markets.

The material and policy conditions for attaining food security have remained an elusive dream across Africa (see *Chapter 40*). In sum, the change policy imaging from the definition

of food insecurity in terms of endemic malnutrition and hungry children to one of a Big 4 Agenda in Kenya, for example, contributed to an effort to mobilize both county and national governments for greater infusion of investments in food resources. Assumedly, over the coming decades, the foundational pieces of food security will be based on the national framing of the problem as an urgent area of concern. More importantly, there is a recalibration in producing locally grown foods and increased attention to individual county solutions to food insecurity. And the county governments have forced policy venue shifts to add food policymaking portfolios to their domain. There is evidence of a new institutional dynamic and momentum that reinforces and sustains policy feedback articulated by local food consumers. In other words, although local governance has opened a policy window for local actions in monitoring food security both as a local problem and as a national goal, the prevailing image of squandered opportunities persists.

From an image standpoint, feedback from numerous constituents, especially in arid and semi-arid regions, points to the stability in framing hunger as a persistent problem of failed food insecurity policies. The prescribed solutions such as irrigation, improved agricultural practices, and marketing suggest unsatisfactory interventions.

Public health and COVID-19 pandemic

Before COVID-19, the Kenya Health Policy, 2014–30, provided direction for the country's health care infrastructure. Policy documents were aligned to the Constitution of Kenya (2010), which proclaimed the aspiration and goal for universal, affordable health care, and rights for citizens (Ministry of Health 2014). Clearly, through Article 43 of the constitution, the intention has been to realize a measure of protection from disease and assurance of health care, especially to the most vulnerable. The policy document also pronounced the intention to attain “the highest standard of health,” which in itself is a vague declaration. Couched in the Vision 2030 policy orientation language, Kenya's health policy aims to ensure equitable health care resources throughout the country's 47 counties. Over the years, the Kenya Health Policy Framework (KHPF 1994–2010) has guided the nation in managing and controlling infectious disease and child health. There have been areas of success leading to improved life expectancy (LE), which rose to 60 years in 2009 (WHO 2010). However, new challenges in the form of increases in non-communicable diseases have cancelled many successful programs. Most importantly, the country's capacity to implement programs that eradicate cholera, typhoid, malaria, polio in children, and other diseases has not achieved desired goals.

Hence, in terms of policy feedback, reports on implementing existing policies put the enduring policy images into perspective. For instance, an image of providing vaccinations is intended to attract new participants in trials. So, for example, in July 2015, when public health officials in Teso North, Busia County, Kenya, touted the importance of vaccines as a solution to reduce polio cases, the vaccine policy monopoly was given much public support. However, after 28 children who had received the vaccination were paralyzed and experienced other side effects, the specific public health policy monopoly faded, and change was demanded. In another instance, two children died, and others were hospitalized after receiving measles vaccines in Kerio Valley and Elgeyo-Marakwet County, Kenya (Muriuki 2015; Suter 2015). Thus, the image of children dying was a powerful tool to force government officials to halt and change the policy and recalibrate the narrative that vaccines were helpful within the existing context.

To explain further the extent of poor attainment of policy goals, we know that the media is replete with documentation on the adverse effects of the non-communicable diseases.

These non-communicable diseases, including cancer, diabetes, ischemic heart conditions, cerebrovascular disease, road accidents, violent injuries, high blood pressure, and numerous respiratory conditions, continue to undermine the country's goals of attaining the highest health care standards. Just one example, an editorial lamented the need for investments in cancer treatment centres and call for action by government leaders (*Business Daily* 2019). Such editorials amount to questioning the efficacy of existing policy initiatives and the underlying national health infrastructure and system's capacity in policy discourses. In many ways, health care facilities in Kenya, like in most African countries, remain underdeveloped, as evidenced by common narratives highlighting elite members of society and politicians boarding flights to receive treatment in overseas hospitals. The notion that the country's ruling class has no confidence in the country's own county hospitals indicates the health care infrastructure and governance. And COVID-19 pandemic exposed this misalignment of resources when newspapers reported that several country leaders, including governors, installed ICU Units in their own residence, fearing that the country's health care infrastructure was incapable of ensuring their own recovery in case of infection from COVID-19 (Aowa 2020; Wainaina 2020).

A public health expert, Professor Khama Rogo (2020), expressed scepticism that Kenya could perform well in clinical mitigation of COVID-19. Professor Rogo predicted that the negligence of the health care sector would bring down the economy. In his keynote address to professionals in the health care sector, he partly noted that,

Many have said ignore this sector at your own peril. This sector is more important than the economy because can bring the economy down, it is more important than the military, it can bring the military down.... In Iran, mosques of Friday are empty. When people fall ill, where do they go? Even hospitals get overwhelmed. People will not go to hospitals because they will be a dangerous place. Epidemics reduce the number of health workers.

(Rogo 2020)

The COVID-19 pandemic put on the spot a reexamination of the Ministry of Health (MOH). The pandemic, more than any recent event, necessitated a reexamination of national health priorities. It became an additional area of interest to the public health community and shaped a new policy image: a new focus adding to the perennial challenges of protecting the populations from diarrhoeal diseases, HIV/AIDS, tuberculosis (TB), polio, malaria, and other diseases still prevalent in Africa. Although Kenya's documents set goals and targets, the implementation of health care policies suffered from corruption, poor compensation for the country's nurses and other health care professionals, and very low investments in public hospital facilities. The government expenditure on health sectors is about 6–8% of the total. And health expenditures as a percentage of the GDP is about 5.4%. Additional cultural impediments include the fear of innovation and unhelpful work attitudes that affect quality care. Also, the country's poverty levels contributed to the well-articulated narrative of reinforcement of the social determinants of health. These limitations portray a disconnect between intentions and the actual implementation of programs. COVID-19 amplified this disconnect in remarkable ways.

For example, in 2020, the pandemic demonstrated that policy punctuations are unavoidable. The existing health care systems were poorly designed and had little ability to minimize the disruption from the COVID-19 pandemic. The crisis was extreme, and to some extent, the country had to depend on the World Health Organization (WHO) and

developed country subsystems to adapt. The government had to collaborate with international partners to draw out COVID-19 mitigation strategies. However, the punctuation forced the government to recalibrate its pandemic preparedness infrastructures and entire health sector. Kenya and governments across Africa saw the clinical care capacities increase rapidly. President Uhuru Kenyatta said, “We have installed more medical equipment than has ever happened since the country’s independence” (Kenyatta 2020). The International Monetary Fund (IMF) injected over Sh.15.8 billion of funds to respond to COVID-19. In the short run, the new infrastructures will likely survive the pandemic (Oluoch 2020).

The new policy was not pre-packaged. Instead, county governments and members of the public, security forces and public health officials were made to be at the forefront of those mitigation efforts. The entire government machinery, including the armed forces, took sweeping measures to become important information bureaus for health education aspects of the mitigation policy approaches. When data from international organizations, which included the African Center for Disease Control, demonstrated how fast the disease was spreading and its devastation of economies, the government mobilized citizens to combat the pandemic, terming it a war effort. Therefore, the MOH role as the institutional venue for public health management was adjusted. While it disseminated data on infections, public health was now under the purview of multiple policy venues primarily because the policy monopolies associated with the MOH were disrupted, and public feedback of the lack of capacity was vocalized and widely circulated social and news media outlets.

In sum, news media coverage can affect how Africans view public health policy issues. Images can convey significant messages about the ravages of a disease on a population and highlight policy successes or failures of a government’s health care apparatus. Images, as share on social media, are also important in magnifying the scope of a health problem, which defines public perceptions about the social epidemiology of that condition. That is what happened during the COVID-19 pandemic and in other public health crises that Kenya faces.

In this study, we analyzed the images of incidents of health care challenges in various electronic news media including posts on Facebook and YouTube (over 2020 February to July 2020) and note that the depictions are the true reflection of the national prevalence of major health conditions across Kenya’s populations over this period. Data observed included descriptive features of news stories and accompanying images that portray hospitals and other health care facilities in the country. Cases where individuals appeal for funds to seek treatment in India, South Africa, and other overseas places indicate low health care infrastructures in Kenya. Likewise, stories about individuals not receiving treatments and images of striking health care workers, and stories of stealing in the MOH and corruption in procurements of COVID-19 kits reveal the deeply flawed nature of implementation of existing public policies. Perhaps, that is the prevailing policy image in public health care in Kenya.

Stability and change in tourism products

Since independence in 1963, Kenya has attempted to develop tourism policies organized around conserving natural resources and wildlife and competitive pricing (Akama 1999; Dieke 1992). This approach meant increased investments in national parks and game reserves. The government of Kenya has developed a robust network of agencies that manage the sector. These include Kenya Utali College, Kenya Tourist Board, International Airports, the airline industry, and affiliated ministries. These units have partnerships with private Tour Operators, Cultural Heritage Site Operators, Conference and Leisure Hotels and Lodges,

and Conservation and Eco-Tourism Organizations, which all work within an integrated Tourism Master plan.

Although some limited success was achieved in increasing tourist infrastructures, like hotels and better protection of wildlife, recent indicators suggest policy changes have become necessary. Most observers deem the decline in the tourist sector as a basis for a course change. Due to a robust feedback process, at least two areas that forced changes in the existing stability in policy orientation can be discerned. First was the apparent negative cultural impact of aspects of tourism on Kenya's traditional society. Second, and arguably more important, was the decline in numbers of foreign tourists instead of community-based tourism (Akama 2002; Odunga and Folmer 2004). The earlier policy orientation had designed structures that focused on overseas tourists bringing into the country foreign exchange. The sector contributed about 11% of the local workforce. However, the policy image had deep flaws that prompted policy changes.

The first image of tourism as an affront to local cultures was met with educational and mostly informal cultural, educational initiatives meant to undermine any attempts to "pollute the local cultures" with practices considered inappropriate in African customary traditions. There were efforts to ensure that tourists do not, for example, promote vices such as prostitution and gambling. Although official rhetoric proclaimed the need to shun such foreign behaviours, the bureaucratic systems did not implement any rules undergirding such proclamations. The second point is more easily measured. It comes from less moral considerations. The argument is that based on a percentage of the tourism industry's contribution to the GDP and employment, the existing policies did not meet most of the developmental expectations of the policy entrepreneurs. In plain terms, the policy prescriptions were not delivering on the promise of expanding the GDP. Besides, the enforcement of official standards of wildlife protection and natural resource management proved difficult to actualize, triggering conditions that enabled loss of revenues. That, in turn, prompted official reviews of the tourism policy.

Moreover, public records reveal multiple causes of lost revenues, including poor pricing of tourism products and competition from places such as Seychelles, Mauritius, Tanzania, and South Africa. The difference between tourism revenues in the early 1990s and 2000s explains why the policy change was necessary. Either way, the decline in tourist revenues was informed by the feedback that the prevailing image undermined the very goals set forth by policy entrepreneurs and, therefore, causes policy change. Regarding the preceding stability in the tourist policy area, I illustrate that those of a struggling sector replaced images that endured. Policy change tends to occur in fits and starts, especially long periods of visible stability that Baumgartner and Jones (1993) suggest is disrupted or punctuated by shorter periods of change. The punctuated equilibrium idea is explained by an existing interaction of different venues when policy entrepreneurs or members of the policy community share objectives and shape solutions to the problem. These policy entrepreneurs derive their cue from the stability enshrined in the existing images of the policy area. The given image of tourism as an aspect of Kenya's environmental beauty underpins the core impression. However, the definition of policy prescriptions regarding protecting wildlife and fighting poaching suggests that the specific image has been distorted. Therefore, the policy must change to ensure stability in the tourism industry. The image of conservation and protection of wildlife and clean-up of the environment for tourism has become generally accepted as the most plausible approach to managing the tourism industry.

By contrast, reports in tourism magazines (for example, those issued on Kenya Airways flights), statements from leaders and industry captains voice concerns about increased

insecurity, poaching, wildlife deaths, and loss of vegetation cover mainly deforestation are looking at images that reinforce the notion of policy failure. Similarly, they are also looking at the need for change with other ecological disasters. In addition, suppose the tourism policy is reallocated to a different venue and considered an aspect of Kenya's national heritage. In that case, one assumes that the new venues also reinforce the underlying image that signals the need for changing course and addressing the consequences of the forces creating instability and negative feedback. When the need for change is radical, the decision-making is frequently transferred to a reorganized unit within the Ministry of Tourism, which is an avenue that is assumed cannot ignore the core policy problem(s). This type of venue shift was reported in Kenya. The strategy of venue shopping, which means moving an issue from one venue to another, can help change the policy and offer a new image.

Tourism Act of 2011

The major large-scale policy shifts brought about in response to the challenges above were articulated in the Sessional Paper No. 1 of 2010 and the Tourism Act of 2011. Besides, several Wildlife Policies, Vision 2030 and implementing a multi-agency National Tourism Coordination Initiative with the Ministry of Tourism took the lead policy management roles. This, together with the National Tourism Master Plan, represents the turning point or punctuation in exiting policy images. Vision 2030 identified new pillars meant to shift the policy images to highlight the development of niche products. These include business and conference tourism in Nairobi, Mombasa, and Kisumu; health and medical tourism; community-based tourism; and expansion of resorts outside the traditional coastal belt (Republic of Kenya 2017). While the focus on community-led tourism (CLT) presents a major shift in policy imaging, it has faced great barriers, including insufficient community buy-in and limited access to relevant information (Nyakiba et al. 2020).

Accordingly, land was acquired for developing model cities in Isiolo, Turkana, and Lamu – the hub of the LAPSET project. This new policy image promotes the idea of the Turkana Basin region as Eden Cradle of Humankind. The crowning activity in this emerging policy narrative is captured to aggressively market Kenya as a top long-haul destination and a leading destination in Sub-Saharan Africa.

Conclusion

The concept of policy image is relevant for understanding policy changes in Africa. It builds on the theories of the policy change and amplifies the idea that images assigned to policies help push forward agenda in specific policy changes such as food security, public health solutions, and tourism development sectors in Kenya. This chapter shows that although policy images in Africa are embedded in policy documents and prescriptions, citizen participation in response to the implementation of the stated policies is a function of the political system's ability to permit feedback communications. And that rests on effective and engaged democratic public participation.

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9

REFLECTIONS ON THE POLITICAL ECONOMY OF PUBLIC POLICY ANALYSIS IN AFRICA

Michael Kpessa-Whyte and Kafui Tsekpo

Introduction

Public policy analysis is fundamental to policymaking and governance. It is an activity that precedes policymaking and ends the life cycle of public policies. Often policy analysis provides the basis for further policy work. The process becomes the channel through which policy options and alternatives gain legitimacy and a place of pride on the policy agenda. Policy analysis involves a critical evaluation of situations to ascertain the extent to which they are effective and fundamental to governance's efficacy. As the science of decision-making, policy analysis embodies the framework of ideas that orients actors on particular policy issues and often forms the basis for judging government performance. Although policy analysis in its various forms is ubiquitous in every society, the systematic study of policy analysis in African countries has lagged behind other parts of the world. It has been seen as part of the broader discussion in public administration for a long time. Until recently, it was limited in practice to in-house policy evaluations within government bureaucracies. Policy analysis is ubiquitous and manifests explicitly and implicitly in all governance systems and arrangements. Yet, in most African countries, public policy as a distinct and professional field of endeavour is relatively new to African policymaking.

However, this is rapidly changing with the growing complexity of governance problems in Africa. Also, at the very basic, citizens today and/or their groups expect various public goods grounded in 'intelligent' decision-making from their governments (Pal 2010). In tandem with current principles of public value governance, governments are expected to plan, coordinate, and execute collective decisions with the probability of contributing to the health, safety, and well-being of citizens in the best possible way (Friedman 2017). However, given the complex nature of issues policy actors face daily, it is uncommon for them to be decisive in their policy prescriptions without being 'unintelligent' given the 'uncertainties, inadequate information, the complex nature of issue identification, and definition that characterises the policy process (Manski 2013). As such, public policy must be guided by 'proper analysis' and guidance; else, policy choices whatever their value-addition may be as a result of 'hunches and guesses', and the "policy processes may get stuck for long periods—sometimes with regrettable results" (Thissen and Walker 2013, p. 1). Hence, the need for policy analysis arises from the knowledge gaps anchored in the social values between what

policy bureaucrats know and what they do not know in finding solutions to the multi-dimensional issues of public interest (Weimer and Vining 2017). This takes place at the level of government and non-governmental levels.

Policy actors make policy decisions to help adopt or adjust the current policy environment to resolve a particular issue to the government. Policy actors engage in policy analysis to understand the nature of the issues they are dealing with, the changes taking place, and how government policies could address their effects within the state or beyond (such as foreign policy). It follows that policy analysis is a complex endeavour that requires a set of methods, analytical tools, and context-specific political and social knowledge (Clemons and McBeth 2020). At its core is the indispensability of contextualised knowledge about the social, economic, and political relations generated. This involves a mixture of methods and approaches underpinned by a particular epistemological view of society to inform policy decisions, alternatives, and implementation (Clemons and McBeth 2020). How policy actors and institutions understand society's values and how they deploy the set of analytical and methodological approaches shape the effectiveness of their analysis.

This chapter, therefore, examines policy analyses that foregrounded governance approaches and policy choices by African governments since the early postcolonial period. In so doing, this chapter interrogates the epistemological lenses through which knowledge about policy challenges and solutions was framed and adopted. Although Africa is a region of several countries, governance approaches and broad ideational foundations around which policy choices are made are widely shared. Any variations normally exist at the level of policy design, choice of policy instruments, and delivery of policies in practice. Thus, the chapter looks at the macro-level policy analysis where broad ideational guiding principles in the form of one-size-fits-all have served as the reference points for country-level policymaking.

Also, we examine the overarching analytic ideational foundations that inspired policy choices in specific periods, namely, (a) the early postcolonial era, (b) the adjustment years, and (c) the post-adjustment years. Whereas the *early postcolonial policy analysis* portrayed African countries as lagging and solutions were pursued with the notion of catching up, the *adjustment era policy analysis* defined public policy challenges in Africa as one of an over-bloated state and promoted private sector policy options. Policy analysis has shifted attention to the micro issue of poverty alleviation and framed solutions in-country ownership and popular participation in policy processes in the post-adjustment years. We conclude by highlighting some of the major issues, actors, interests, and implications for the politics of policy analysis in African countries.

Policy analysis in the early postcolonial era

Between the 1950s and 1960s, policy analysts in Africa focused on the state's role as the major agent of social change, the promoter of capital accumulation through important substitution industrialisation, and resource allocation coordination. This development paradigm shaped policy analysis in the early years of independence. During this period, socio-economic and cultural development processes were seen through the lenses of modernisation, which had portrayed African societies as lagging behind the advanced industrialised countries in Europe and North America. Thus, policymakers had to design and implement policies with the ultimate objective of catching up with Western countries (Hyden 2006). Making the West the standard for socio-economic transformation meant firmly establishing the yardstick for all policy analysis for policymakers and policy analysts in postcolonial Africa. Consequently, in the early postcolonial period, most African countries designed elaborate development

plans intended to transform postcolonial African societies to mirror the images of the West politically, economically, and culturally (Mkandawire 2014)

As such, the art of policy analysis was confined to government agencies, ministries, and departments – cabinet ministers, presidential advisers and staffers, permanent secretaries, and academics were the primary actors involved in analysing public policy and advising governments (Friedman 2017). The aftermath of colonialism and the urgent quest for nation-building and development placed the responsibility of policymaking and analysis primarily with national governments and their agents (Kpessa et al. 2011; Mkandawire 2001, 2014). As primary policy actor(s), national governments initiated, implemented, and monitored policy programmes and projects to give meaning to the ‘new’ social contract (Adésinà 2009; Kpessa and Beland 2013). This was more action-oriented than knowledge creation in national development plans and their respective reviews (Omanboe 1966). This ‘ex-ante’ approach to policymaking is complimented by the academic and intellectual engagement with the specific policy issues to improve our understanding of practical engagement (see Anugwon 2004).

By the 1950s, policy analysis in Africa had gained more prominence within central government ministries involved with classical planning and begun to filter through the academic fields of social science and behavioural research, NGO/policy Think Tank (Mkandawire 2012). During the same period, following the advice of the World Bank, many African countries had established or were in the processes of establishing Development Planning Commissions with the task of engaging policy research and analysis to support development efforts of government especially because ‘development’ was the premise upon which independence was won (Mkandawire 2001). Policy planning units began to spring up in line-ministries to track the performance of existing policies with the objective of improving upon the status quo. Modernisation principles influenced policy analysis during this period, and in some cases, followed the blueprints of British and French Colonial policy frameworks, especially after World War II.

As Mkandawire (2005) noted, in the early postcolonial era. African governments relied heavily on foreign policy analysts who served as advisors, researchers, mentors, and admirers from whom a lot of intellectual inspiration or affirmation were derived. Many of such policy analysts saw the independence of countries in Africa as a new opportunity to shape the modernisation processes through specific ideological lenses. Kwame Nkrumah, the first president of Ghana for instance, also relied on the expert advice of several analysts, including Arthur Lewis, Thomas Hodgkin, and Pan-Africanist scholars such as W.E.B. Dubois and George Padmore. For instance, President Julius Nyerere of Tanzania had a close circle of foreign Fabian intellectuals who had unimpeded access to him. At the same time, Kenneth Kaunda relied on his intellectual associate John Hatch for expert advice on his Humanist Philosophy. So much was the access and influence of foreign researchers that African political actors and policymakers were accused of “surrounding themselves with foreign advisers” at local intellectuals’ expense (Ndlovu-Gatsheni 2017, p. 63).

The reliance of early African governments on external policy analysts was largely due to the framing of challenges that confronted the new independent countries as ones that lagged behind and need to catch up. This framing compelled policy makers. As such, policymakers in the Africa to seek advice from researchers, especially from their former colonial metropolis, on ideas needed to *catch up*. In any case, if development is a journey to being like countries in the West, then it makes sense to allow those with the lived experiences of what is projected as development to guide those defined as lagging.

In the early postcolonial years, policy analysis shaped policymaking was reflected in two main ways. First, across Africa policymakers, actively engage in deliberations with the

researchers and analysts to gain insights into projects they intend to embark upon and appreciate such projects' potential implication or ramification. For instance, policymakers in the 1950s and 1960s relied on a series of research outputs to construct the Akosombo Dam in Ghana. The Dam's location, purpose, size, and generating capacity were shaped by various Policy related research analysis conducted mostly by scholars from the West. To further demonstrate the importance attached to research in policy analysis, the government of Ghana also invited Arthur Lewis, a renowned development economist at the University to advise on various aspects of development policy in Ghana due to his celebrated expertise in both development economies and writing on West African economies.

Second, recognising the importance of the difference between university-based knowledge creation and policy analysis, policymakers created other independent research centres to conduct their own research to inform policy processes. These research institutes were closely served as labs for nursing innovative ideas to improve policy outcomes. On the importance of research in the early postcolonial period, David Apter noted that policymakers were alive to their shortcomings and were very opened and welcoming of researchers and research outputs (Apter 2008). For example, a researcher of British origin by name Thomas Hodgkin became close friends with leading politicians and policymakers such as Kwame Nkrumah and played an instrumental role in establishing knowledge centres committed to policy analysis and broader research (Apter 2008). Thus, policy analyses during the early postcolonial era were mostly conducted by expatriate analysts with string ties to major political elites, and in-house policy evaluation units situated within government agencies, departments and ministries.

Policy analysis in the adjustment years

By the late 1970s, the focus of research advice in Africa had shifted attention to getting prices right by removing subsidies but also cutting back on services provide by the states to the citizenry, and starting from the 1980s in particular the focus of policy analysis in Africa began to show preference for market reforms that provide incentives for private sector actors. This culminated in adopting a one-size-fits-all structural adjustment heavily tilted towards liberalisation, export promotion, privatisation, deregulation, and market leadership. During this period, the practice of policy analysis shifted from expatriates working closely with African governments, as was the case in the early postcolonial era, to another category of external actors led by the World Bank and the International Monetary Fund (IMF). From the 1980s to the 1990s, the space for policy analysis was captured and colonised by this new category of actors. They determined, defined, and proffered solutions to problems in Africa (see *Chapter 10*). They compelled most African governments and policymakers to consent to their preferred policy preferences and imposed the same through conditionality-based lending using their financial muscle.

This occurred against policy analysis background, suggesting that the socio-economic challenges facing African governments and policymakers directly resulted from policies implemented in the early postcolonial years. In support of this analysis, a very staggering picture was painted of the human condition in Africa. The gist of policy analysis that heralded policy interventions in the adjustment years constructed a discourse that portrayed Africa as home to the world's poorest persons, estimated to be around 300 million and further argued that by 2015 persons living in abject poverty on the continent could reach 400 million if trends in policy failures were not reversed. Also, Africa was portrayed as the only continent globally where persons living below the poverty line kept increasing, and the gaps between

the worthy and the needy continued to get wider (Madavo 2005). Konare (2004) noted that about 210 million of Africa's population were malnourished primarily due to a decline in food production. The apocalyptic portrait of the situation suggested that the circle of poverty and famine confronting countries in Africa will exacerbate the human condition if nothing is done to rescue about 300 million poor Africans, mostly women and children, from starvation and death. While over 140 million Africans were illiterates, the number of young people dropping out of school increased (Mbeki 2002; UNCTAD 2001). On health, the HIV/AIDS pandemic deprived families and countries of their most productive labour force in parts of Africa. Citizens in several countries were at risk of contracting the disease; while over 25 million adult Africans were HIV/AIDS positive, about 12 million children in the region were made orphaned by the pandemic (Madavo 2005).

The policy analysis of African countries' economic condition in the adjustment years shows a region in severe distress with a drastic decline of the Real per capita income. By 1999, output per capita in Africa had declined for various reasons, and the average income per person was less than a dollar (UNCTAD 2001). Compared to the rest of the world, the cumulative share of African trade volume had fallen drastically by the 1970s (Madavo 2005; Mbeki 2002). Similarly, most countries in Africa went from being net exporters of basic consumer products to the reliance on imports and food aid from foreign donors. Thus, at the end of the 1970s, African countries combined imported 4.4 million tons of staple food products annually, which increased to 10 million tonnes by the middle of the 1980s (Kpessa 2009b).

Moreover, the region's political situation was unstable, manifested in authoritarian regimes, military governments, civil wars, and the refugee crisis. This is by no means the whole story. However, based on this problem definition from policy analysis primarily controlled by International Financial Institutions and other transnational actors, a neoliberal inspired one-size-fits-all policy solution was placed on African's policy agenda.

In contrast to early modernisation arguments that African peasants do not possess the pre-requisite character traits to transform into a modern society, advocates of neoliberal policy solutions to Africa's challenges claimed that Africans, like all humans, also aspire to maximise utility, taking advantage of conducive opportunities (Bauer 1984), and are equally predisposed to market price incentives (Johnson 1964). Therefore, the neoliberal agenda maintained that the previous state-led development policies suffocated market mechanisms and denied most countries entrepreneurial opportunities and capital access. Under state-led development in the early postcolonial era, the marketing and price control boards created artificial price regimes stifling entrepreneurship and innovation in African (Bauer 1984). Thus, although the argument is not opposed to the very logic of socio-economic transformation framed in modernisation, it demonstrated a tremendous preference for private sector principles and ethos in Africa's public policy.

This increasing private interest in the African policy space by 'sovereignty-free actors' (Rosenau 2018) – multinational corporations, transnational societies, and international governmental and non-governmental organisations (NGOs) – has changed policy analysis dynamics and effectiveness (Rosenau 2018). Their activities have revolved around the generation of market-driven approaches and policy alternatives to 'sanitise the public sector', and stimulate growth and competitiveness (Mkandawire 2012, 2015). According to Wilkinson (2005), "recasting transnational corporations into mobilisers of capital, generators of technology, and legitimate international actors with a part to play in an emerging system of global governance" (p. 37) has altered the dynamics of policy analysis in Africa.

Since the 1990s, this development has effectively consigned the traditional policy analysis institutions in Africa to the periphery. The leveraging of foreign interest in policy analysis

through the activities of transnational institutions has shifted policy analysis from one that is rooted in the lived experiences of policy recipients to behavioural modelling through policy experimentations grounded in out of context policy ideas (Adésinà 2011, 2020; Kpessa 2009a, 2010, 2012). Spear-headed by the Britton Woods institutions, these transnational actors have become the main actors in the policy analysis spectrum and their local collaborating institutions in academia and civil society.

The need for policy analysis beyond government agencies was encouraged and pursued by the World Bank during the structural adjustment years. The need for policy analysis institution to report on projects and programmes supported by the World Bank was preferred on the basis that African governments lacked institutional and bureaucratic effectiveness to carry out such functions (Mkandawire 2014). This led to the establishment of private policy analysis institutions like the Institute of Economic Affairs (IEA) in Kenya and Ghana, the Horn Economic and Social Policy Institute (HESPI), and African Economic Research Consortium (AERC), among others placed under the tutelage of European and American policy think tanks. Following the turn of the millennium and the acceleration of globalisation, Africa again has become a theatre of global policy analysis and this has manifested in the growing visibility of NGOs and social movements in the global arena has generated powerful debates at a time when traditionally, nationally based channels of participation (for example, membership of a trade union or political party, voting turnout) have been in decline (Rosenau 2018). New forms of policy actors have emerged within the evolving globalisation and governance architecture to offer policy analysis in a pervasive manner (Adésinà 2020). This becomes more manifest in what can now be called the post-adjustment era.

Policy analysis in the post-adjustment years

One of the adjustment years' legacies is the proliferation of multiple actors in the public policy space in Africa. Hence, the policy community in contemporary Africa is littered with several actors engaged in public policy analysis. These include, but not limited to transnational and national actors, NGOs, community-based organisations (CBOs), research institutions, universities, academics, consultants, news media, political parties, commissions of inquiry, interdepartmental and departmental committees, parliamentary committees, central government agencies, think tanks, and several other civil society organisations. The proliferation was facilitated by two significant events in the African policy space. First, by the early 2000s, most African countries had chosen constitutional democracy with its accompanying freedoms, liberties, and periodic multiple-party elections over the hitherto authoritarian and military regimes.

Second, after two decades of implementation, analysis of the neoliberal policies pointed to several flaws in its internal logic, including a lack of respect for the agency of African policymakers and citizens (Mkandawire 2015; Mkandawire and Soludo 1998). Criticisms of the neoliberal policy also attacked what was perceived as a misguided diagnosis of the African public policy challenges (Mkandawire and Soludo 1998). Consequently, neoliberalism underwent an internal mutation. The resultant product was a revised policy agenda that prioritised country poverty reduction, country ownership, social inclusion, and popular participation of the citizenry in public policy decision-making processes (Craig and Porter 2004).

In the 1990s, policy advice shifted attention to political reforms that resulted in democratisation. The 2000s saw another shift towards concerns about the human condition; poverty,

marginalisation, and exclusion were given priority. Frankly, these shifts in policy advice, especially from researchers in the West, have resulted in a disposition among policymakers in Africa that pieces of research advice from the former are at is the best experimental ideas searching for testing grounds. Looking back, the policy environment in Africa since independence has witnessed major paradigm shifts. Every decade on average and often newly recommended policy interventions either undermine previous ones, contradict earlier research-informed policy or, in some cases, replace entirely existing policies. Arguably, the policy challenge in Africa is not because research and knowledge upon which they are based are not relevant. Instead, it is a case that these policies are often not given enough and adequate time to mature for their full impact to be measured before new research from new analysis comes out seeking to replace them.

Most Global North researchers working in Africa through foreign missions and embassies have evoked the power and might of their countries in the global political economy of power asymmetries. As such, African policymakers often opt for silence over constructive policy deliberations for fear of losing much-needed development assistance. Thus, although knowledge to feed the public policymaking processes is not lacking in African countries, there are growing concerns that the gap between policy and research is widening. One study of the policy-research nexus observed that evicting hawkers from the streets in congested areas in Accra, Ghana, were not informed by policy analytic evidence. Similarly, in Sierra Leone, research output upon which campaign for reforming the chieftaincy institution was one-sided and out of sync with its realities. In Uganda, two sides to the HIV/AIDS prevention and Control Bill debates relied on policy analysis evidence to frame their arguments, pointing to the ambiguity and lack of clarity in research findings. In the case of Zambia, policymakers rejected research advice supporting the use of Genetically Modified Organisms (GMOs) because the evidence was “not applicable to the country” (Broadbent 2012, p. 3).

There are several reasons why the impact of research evidence on policymaking in Africa is on the decline, these include (a) policymakers lacking the capacity to appreciate and up-load research outcomes into policy context and design; (b) poor communication of research evidence; (c) prevalence of alternative research outputs contrary to dominant ones being promoted; (d) lack of agreement on research questions that foreground analysis, leading to multiple and often conflicting research questions; (e) narrow focus of analysis oriented research as opposed to multi-dimensionality of policy concerns; (f) poor research design resulting in weak methodology and questionable data; (g) insensitivity of research advice to the local context in terms of values and norms; (h) instrumental use of evidence from policy analysis for other parochial political purposes; (i) evidence from policy analysis being seen as means to further Western exploitation of African countries; (j) the habit of policymakers engaging in cherry-picking research evidence.

Generally, in most African countries, a wide gap exists between the producers and consumers of knowledge. Analysis of public policy could have a more significant impact on development policy than has been the case. Researchers as ‘knowledge makers’ cannot understand why there is resistance to policy change despite clear and convincing evidence. Policymakers as ‘knowledge consumers’ bewail many researchers’ inability to make their findings accessible and digestible in time for policy decisions. But experience and lessons from the early postcolonial era can give us a sense of what has worked and could work again. Nevertheless, the overall effect of shifts in the epistemological foundations of public policy is that policymakers appear overwhelmed and pushed in all manners of directions in the post-adjustment years by donors.

Conclusive remarks

The policy analysis environment in Africa has undergone significant changes concerning the ideas, values, actors, and processes involved since the 1950s, primarily on the back of resource strength. According to existing research, transnational actors' headquarters in North America and Western Europe have been at the forefront to control the policy space in Africa. This is evident in Africa's economic policy analysis that guides policy decisions. The latter has been monopolised by the International Financial Institutions and other aid agencies through aid, budgetary support, and various forms of technical support channelled primarily through the Ministries of Finance and Economic Planning, Trade, and Agriculture. Thus, the pervasive role of international actors in Africa's policy space with little regard for local knowledge and ideational nodes of national-building, domestic policy analysts, and actors have been forced to opt for unfavourable political settlements that conform to international norms and policy paradigms often orchestrated through controlled national deliberations.

The corresponding complaints about external control of the policy spaces in African resulted in designed capacity-building programmes to shape the cognitive position of bureaucrats, politicians, and other public servants. The international actors like the IMF and the World Bank sought to train local 'development planners' through tailor-made in-service training programmes to develop Civil Servants' capacity. These capacity-building programmes, training manuals, and literature were conducted, produced, and supported by institutions in America and Europe. They become laboratories for orienting African policy actors with Keynesian modernisation ideas for policymaking, emphasising 'applied economics' from case studies deemed relevant for the African condition (Mkandawire 2014).

During the structural adjustment period in Africa, this chapter illustrates that the foisted policy projects on Africa had not worked because of (a) the growing complexity of the projects, (b) failure to ensure analysis measures up to the lived experiences of the citizenry, (c) control of such programmes by external actors, not the people most affected, (d) the fact that "it was becoming clear that evaluation methods such as internal rates of return which assessed only the direct effects of a project [...] gave only partial and almost certainly an over-optimistic view of the efforts of aid" (Mosley and Eeckhout 2000, p. 104).

With these failures, international policy actors changed course by abandoning the focus on project planning, and with their control over resources, devised a new agenda for Africa. Again, this agenda took the form of what suited the West's interest and not the people's policy needs. The new focus was on stabilisation, getting the 'prices right' as an incentive to public and private spending to instigate economic growth and development. However, according to Mkandawire, the new prescriptions were fraught with scepticism by policy actors in Africa, noting that: (1) Structural Adjustment Programme (SAP) policies were procyclical and would only make the crisis worse, (2) the policies underestimated the structural bottlenecks that inhibited African economies from responding rapidly, and (3) they undermined capacities for long-term growth by reducing investment in human capital and infrastructure (Mkandawire 2014, p. 181).

Recently, local actors of public and private capital interests have assumed the role of policy analysts, incubators, advocates, and implementing agents. People-centred development, which formed the core of post-independence public policy, has been jettisoned in favour of development that problematises the individual as needing capacity enhancement to participate appropriately in society's social and economic spheres. It is almost certainly lost on these actors how the previous 'interventionist' decades of policy design and analysis had ignored the structural and context influencing conditions needed for a transformative

socio-economic environment for the common good. Hence, the purview of these ‘new’ development practitioners doubling as lead consultants and head of NGOs and think tanks has reduced the subject of policy analysis to the production of research notes on strategies for poverty reduction funded by both public and private capitals from institutions like the World Bank and Mastercard Foundation. These organisations are equally double as partner implementers and evaluators of such programmes together with central governments. Such a controlling framework presents conflicting political, social, and economic tensions for local policy actors. It places national policy bureaucrats in a circus of exposure and pressures from globalised forces externally and internally to adopt specific policies irrespective of their relevance.

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THE ROLE AND IMPACT OF INTERNATIONAL BUREAUCRATS IN POLICYMAKING IN AFRICA

Rosina Foli and Frank L.K. Ohemeng

Introduction

Policymaking in developing countries, especially in Africa, continue to be of great concern in development policy. While the governance literature has focused on “citizen participation,” there is also recognition of the extensive involvement of international organisations (IOs) and foreign consultants in the policymaking process in Africa and globally (Knill and Bauer. 2016). The involvement of what may be described as “external actors” in the policymaking process and their interaction with developing countries has led some scholars to question whether African countries make their own policies (Conteh and Ohemeng 2009; Horowitz 1989). Indeed, fewer studies look into international bureaucrats’ (IBs) role in African countries’ policymaking. Instead, most focus is on the World Bank (WB) and the International Monetary Fund (IMF), with little attention to the bureaucrats who make these organisations “think” through policy transfer/diffusion of ideas and institutions in developing countries. However, it is clear that IBs matter regarding policymaking (Eckhard and Ege 2016). They are active participants in the policymaking process across Africa. In fact, in some instances, they have become the principal actors by pressurising and influencing these countries to accept policies and/or reform existing policies through conditionalities and policy transfer (Nedley 2004).

This chapter, therefore, examines how IBs and their organisations continue to play an important role in the policymaking process in Africa. Consequently, we ask: What roles do IBs and, for that matter, their organisations play in the policymaking process? How do these bureaucrats and these organisations influence policies in Africa? We review primary and secondary sources on policymaking and that of IBs (including international civil servants (ICSs)). We argue that IBs continue to play enormous influential roles in the policymaking process in Africa. Their influence in the policymaking process emanates from three main sources: *budget deficits* (e.g. Beaugrand, et al. 2002), forcing developing countries to source funds for budgetary support; *limited bureaucratic capacity* (e.g. Mkandawire 2017) that affect the development of policies and the *incorporation of African countries* into the international political economy (e.g., Heldt and Schmidtke 2019; Appuhami et al. 2011). This has been described as a transnational or global network (Béland and Orenstein 2009; Knill and Bauer. 2016). This chapter is organised as follows: First, we conceptualise who IBs are and identify what they

do. This is followed by a brief discussion on policymaking in developing countries and how it leads to the emergence of global policy actors in domestic policymaking in these countries.

IBs: who are they and what do they do?

IBs and ICSs concepts continue to be used interchangeably in the literature. However, whereas IBs are a more recent addition to the public policy and administration lexicon, it has more or less replaced the concept of ICSs, which has a long history (Langrod 1963; Newman 2007). Nonetheless, the ideas refer to the same people working in IOs or on behalf of IOs to fulfil their mandates. Therefore, IBs refers to the administrative staff of IOs. They can also be described as ICSs, international public administrators, or officers recruited by IOs to work on particular projects as consultants in various countries.

IBs often pursue the interest of the IOs rather than that of their home countries. Despite mostly not seen, IBs are significant actors in international cooperation and domestic affairs (Johnson 2013; Yi-Chong and Weller 2008). These bureaucrats also work to ensure that countries develop solutions to resolve global issues. For examples, the United Nations' (UN) IBs have been at the forefront of the fight against climate change. Similarly, bureaucrats in the Organization for Economic Cooperation and Development (OCED) work to ensure policies that continue to shape member countries' socio-economic development. Officials from the WB and the IMF are major players in the global economy and, most importantly, promote market-based ideas in Africa.

Overall, the role of IBs as critical actors in international cooperation is bolstered by uncertainty, inadequate resources, and the difficulty of member states to reach an agreement on various issues and collaborate on them (Johnson 2013). Besides, their influence in global public policies and even the domestic policymaking process emanates from their level of autonomy from member states, which has led them to be seen more independently in promoting policy ideas (Christensen and Yesilkagit 2019).

As global actors, IBs operations are classified into macro and micro activities. Macro operations involve IBs working at an international level as administrative staff of an IO, helping to accomplish the mandate of the specific IO. Their activities involve working within member states at the micro-level, either as IOs representatives, or consultants providing technical expertise to assist national policymaking/projects. Macro roles of IBs mostly facilitate cooperation among states and the creation of other intergovernmental organisations. Particularly concerning cooperation among states, it is quite challenging due to the heterogeneous nature of interests member states promote. Thus, IBs are instrumental in providing information to help states cooperate internationally (Johnson 2013). Additionally, IBs act in various ways at the intersection of the international and national policy processes to indirectly and directly influence policies in various countries (Béland and Orenstein 2009).

IBs in the policymaking process in Africa

In Africa, independence came with an overdose of optimism where national leaders believed the indigenisation of governance and leadership would positively impact citizens' living conditions. These leaders stressed the importance of prioritising their citizens' needs, discriminated against under colonial rule. For instance, Kwame Nkrumah proposed in a broadcast to the nation in December 1957 that the yardstick for evaluating his leadership should be the state of Ghanaian welfare.

Consequently, African leaders moved with resolute astuteness to implement several policies towards bridging the developmental gaps colonialism created to achieve economic growth, and therefore, deliberate efforts to Africanise the civil service as the main engine for policymaking and implementation (Kirk-Greene 1972). Despite the desire to completely replace expatriates with indigenes, most African countries did not have enough trained human resources to fill the positions created, particularly in areas that required technical know-how. Consequently, expatriate bureaucrats and consultants had to be maintained till they were replaced with locals.

Indeed, in Ghana, British experts in the civil service and the military were briefly maintained after independence (Rooney 1988). Likewise, as Vinnai (1974) notes, Kenya could not completely Africanise the civil service even though it desired to do so due to the shortage of educated Africans filling various administrative positions. While most independent African countries accelerated the pace of Africanising their civil service, from the 1980s, there was a growing involvement of external actors in the policy process due to economic crises like those precipitated by the oil crisis and the collapse of the world market of raw materials. The crises of the 1970s resulted in the adoption of structural adjustment policies (SAPs) in the 1980s by most African countries. This period marked the beginning of a closer relationship between African countries and bilateral and multilateral actors.

Before implementing the SAPs, there was a fluctuating relationship between independent African countries and external actors, particularly international financial institutions (IFIs). This followed the disagreement between African leaders and external actors on how to facilitate development. Most of these leaders had ideas of how they would like to pursue development in their new states. For instance, in Tanzania, Julius Nyerere pushed a development agenda focusing on internal resources rather than external development assistance. However, development assistance came with conditionalities.

Similarly, Africans through the African Union (AU) designed various policies to avert the 1970s crisis, yet these did not materialise. Consequently, the SAPs became a defining factor in policymaking in Africa. Implementation of SAPs resulted in resource constraints and the “surrender of national policymaking” to external actors and their ideas, instigating a lack of confidence in homegrown policies formulated by the AU (Mkandawire and Soludo 2003, p. 3). The SAPs and the whole aid architecture were strongly criticised. Again, the adjustment policies and conditionalities constricted the national policy space. This would later see new commitments through the Poverty Reduction Strategy (PRS) to reform the *modus operandi* of development aid from the 2000s to promote policy ownership by recipient countries. Actors in development cooperation ultimately supported country policies (OECD n.d.).

Questions, however, remain concerning the involvement of external actors and the extent of policy ownership in developing countries (Kentikelenis et al. 2016). Despite the rhetoric by most IFIs that conditionality is no longer part of the aid architecture, Kentikelenis et al. (2016) found that SAPs style lending is still ongoing, thereby shrinking the policy space in recipient countries. Conditionality is one of the crucial factors in understanding the external dimension in the policy process. Also, the IBs are involved in the policy process, influencing policy content.

While IOs like the UN were involved in decolonising African countries, the post-independent Africa is still a fertile ground for IBs who promote their organisations’ economic ideologies through technical assistance (Johnson 2013). These organisations have consistently used their power asymmetries to influence policymaking in developing countries. For example, the IMF, the WB, and other donors have used “conditions precedent” to

aid recipients in altering policies and practices deemed by the donors to retard growth and development (Cohen et al. 1985, p. 1213).

However, how did all this begin? We will briefly examine how IBs got involved in policymaking in developing countries and Africa, in particular.

Decolonisation generated rapid development and industrialisation in the developing world. Unfortunately, most independent African states lacked the human capacity and the capital to undertake the rapid growth promised during the struggle for independence. Hence, the international community had to help these countries develop their economic and industrial plans. Modernisation theory became the focal point for development where developing countries should emulate the industrial world. Accordingly, technical assistance, foreign experts through IOs, and representatives of donor governments offered to build African countries' administrative capacities to develop policies for economic growth and political stability (Ohemeng 2020). Such technical assistance through IBs continues today. However, how has this assistance influenced policymaking? We will look at three main areas here.

SAPs, budget deficits, and the role of IBs in Africa

Many African states continue to face substantial budget deficits and cannot mobilise adequate domestic resources to finance their developments. As a result, they are confronted with the choice between external and domestic financing and rely primarily on external largesse to finance their development rather than borrow commercially. For Beaugrand et al. (2002), international financial markets are accessible to few African countries whose borrowing capacity on commercial terms is restricted to particular cases. Therefore, most African countries rely heavily on foreign financing and less on commercial borrowing. They have "uncritically accepted advice from the IFIs and donors as a condition of receiving much-needed international assistance and debt relief" (Allen 2009, p. 13).

What has been the consequences of relying on official creditors and multilateral organisations? As will be shown here, this reliance has led to a stronghold of these organisations in the policymaking process, dictating what most African governments can do and cannot do.

By the early 1980s, most African economies were in a comatose state following the oil crisis in the 1970s, the general international economic climate, bad developmental policies, and serious mismanagement by political authorities (World Bank 1989). Thus, to redress the situation and improve living conditions in Africa, most African countries invited the WB/IMF to restructure their economies. This invitation invariably led to the adoption of SAPs as a normative policy package to get the state right by reducing the role of the public sector and enhancing the development of the market (Konadu-Agyemang 2001). Thus, African governments undertook significant macroeconomics adjustments to restore investor and consumer confidence.

Thus, concerning the SAPs, the IFIs exerted significant pressure and influence on the governments to reduce the state's direct involvement in development to fit into the new global economy. Because of this pressure, these organisations, bureaucrats, and consultants exerted themselves in these countries' policy development. The most critical policies initiated through the SAPs were privatisation in various forms (Foli and Béland 2014). Public service retrenchment and the introduction of new public sector reform mechanisms, such as the new public management, enabled the public sector to pursue result-orientation. Through these mechanisms, the SAPs were a means to reduce the size of government and narrow the range of hitherto executive and administrative decisions to release the forces of production from the state bureaucracy.

One major policy related to getting the state right is public financial reforms. Through the influence of the WB and the IMF, almost every country in Africa has embarked upon Public Financial Management Reforms (PFMR) to address their budgetary needs. A key aspect of PFMR has been the introduction of the Medium-Term Expenditures Frameworks (MTEF). MTEF is an “institutional mechanism for setting multiyear objectives for fiscal policy and budget expenditure and ensuring that these are respected in budget formulation, approval, and execution” (Eden et al. 2017). Thus, between 1992 and 2001, for instance, 13 African countries formally adopted MTEFs, all of them under the aegis of the WB. These external institutions, donors, and international consultants (bureaucrats) influenced the reforms (Allen 2009). Donors frequently provided a substantial proportion of the funding for such measures, in addition to supplying technical assistance. This activity may lead to a dependence on donors and the consultants they hire that inhibits local capacity development and channels finance into projects perhaps inappropriate or untimely for the country concerned.

IBs and poverty reduction policies

IBs have also had a significant influence in poverty reduction strategies in Africa. In 1999, the WB and IMF launched the PRS initiative across developing nations. The initiative began with 41 countries, and out of this, 32 were from sub-Saharan Africa. Countries were to develop their strategies in more collaborative and participatory forms with domestic stakeholders. Thus, although the WB and the IMF indicated that these strategies be locally developed, a critical analysis of various countries indicates a *one-size-fits-all approach* with a strong hand from these institutions. As individual leaders’ conception of poverty shifts, proposals contained in policy documents likewise signal a change. The dynamics of poverty reduction policies indicate that even though IOs and their officials are not formal policy actors in national policymaking, they influenced poverty reduction policies using ideational tools (Foli and Béland 2014).

A careful analysis of the PRS shows that IBs have, over the years, become significant national policy actors through direct and indirect means. Directly, they utilise their bureaucrats, like country representatives, in the policymaking process, while indirectly, they engage local knowledge expertise and institutions such as think tanks, academic institutions, and professional associations to achieve their objectives (Stone 2017). The local expertise is crucial. While IOs may have been criticised for introducing various policy reforms through loan conditionalities, their ideational influence is quite subtle and rarely criticised, yet they are potent sources of new policy and reforms. The ideational influence’s salience also suggests that agents of ideas play a critical role in promoting particular poverty reduction policies or programs (Foli and Béland 2014).

Consequently, IBs continue to serve as technical experts or consultants in shaping policies and programs in specific ways by promoting their ideas and/or their organisations’ position on a policy problem. The avenues for such influence include conferences, seminars, publications, and technical personnel seconded to various national agencies (Foli and Béland 2014).

Persistent weaknesses in administrative capacity in Africa

It has been consistently recognised that effective state institutions are *sine qua non* for development (Acemoglu and Robinson 2010). It is believed that an effective state should have four main state capacities, which are regulatory, technical, extractive, and administrative. High

levels of policy capacity are linked to superior policy outputs and outcomes, while capacity deficits are viewed as a major cause of policy failure and sub-optimal outcomes (Wu et al. 2020, p. 178). Technical and administrative capacities focus on the state's ability to design and develop better public policies, while regulatory and extractive deal with behaviour change. The latter is about the state's ability to collect the needed revenue for development.

In many developing countries, weaknesses in the administrative capacity to undertake policy development and implementation have led to the influential roles of IBs in the domestic policy process. This influence stems from the notion that once a policy is well designed, the government will implement it with the existing bureaucratic capacity. As explained by Johnson (2014), "states facing technical or scientific uncertainty are amenable to ceding institutional design tasks to international bureaucrats" (p. 47). The bureaucratic capacity's problems stem from how the colonial authorities developed the public services in Africa. The colonial administrative systems served and protected their powers and interests (see *Chapter 16*).

Consequently, the African administrative system

was sadly wanting in its capacity to meet the demands of independence. Bureaucracies, faced with new, staggering, and unfamiliar tasks they were not set up to perform, were further weakened by the overly rapid replacement of experienced expatriate personnel with inexperienced recruits and by inexperienced and often inept leadership. In almost every country, the immediate consequence of independence was lessening administrative efficiency and bureaucratic effectiveness. Administration for development was required to evolve from that point.

(Gant 2006, p. 260)

This is what happened in Ghana in the late 1960s. As cogently explained by Libby (1976), between 1969 and 1972, the WB, the IMF, and other developed countries structured the context in which Ghana formulated its economic policy by placing a team of Harvard Development Advisory Service (DAS) economists in the planning and economic policymaking units of the government. The consequences of this were that the DAS and the WB directly shaped Ghana's economic policy. Similarly, in developing the SAPs for Ghana, the WB, for instance, was flummoxed by its observations. It noted with dismay the administrative weaknesses of Ghanaian institutions, particularly the Ministry of Finance and Economic Planning. The Bank (1989), in a report, noted,

the Ministry of Finance and Economic Planning (MFEP) plays a central role in the ERP. However, it is seriously understaffed at the upper levels; it has insufficient policy analysis capability; its functional divisions need strengthening, and its decision-making processes are ad hoc and overly centralized.

(p. 25)

These identifiable weaknesses in the Ghanaian bureaucracy "allowed the Fund, the Bank and the donors to fill the vacuum with their own staff, as well as foreign consultants, producing rigour and speed and minimizing internal bureaucratic opposition" (Hutchful 1997, p. 25).

The majority of African countries have suffered the bureaucracy and continue to suffer from long-term deterioration due to political and economic mismanagement and the rapid migration of qualified personnel to the private sector and abroad. Thus, the dearth of experienced staff, inadequate remuneration, poor morale of the public service, and unwieldy

administrative systems have weakened the institution's capacity to carry out any meaningful reform agenda. The IBs have enabled to assert themselves in the policymaking process because of their knowledge and expertise.

Commenting on how the WB and the IMF "hijacked" the designing of the SAPs policies in Ghana, Hutchful (1997) noted that the WB had indicated in their report how they had intensively consulted Ghanaian officials and had "fostered an unambiguous sense of ownership" (p. 30) among them yet the then Minister of Finance Kwesi Botchwey vehemently criticised "the takeover by the Bank and Fund of important aspects of policy design and review in Ghana and other African countries" (p. 30). Consequently, according to him, Botchwey demanded changes that would "put the [Ghana] government in the driving seat" to design its own macroeconomic framework and conduct its public expenditure review. Botchwey thus went on to argue that "until Government takes the responsibility of doing these things for itself and yes, making its own mistakes, the capacity for policy analysis and implementation will not broaden or deepen" (Hutchful 1997, p. 30).

There are many examples of this intrusion in the policymaking process across the continent. For example, commenting on the introduction of Poverty Reduction Strategy Papers (PRSPs) in Uganda, Nyamugasira and Rowden (2002) noted that "although Uganda's PRSP outlines its goals for poverty reduction, the policies to be used are determined by the IMF and World Bank" (p. 74). Similarly, Ismi (2004) says that while "Ugandan NGOs were invited to provide input on the development of the poverty-reduction goals, but not on the nature of the policies to achieve those goals" (p. 13). Overall, it is not surprising to any serious student of Africa's development that the Economic Commission of Africa (1998) wrote that "the major thrust of economic policymaking on the continent has been informed for the last decade or so by the core policy content of adjustment programs (of the type supported by the IMF and the World Bank)" (p. 27), as economic and other policies continue to be determined by the IMF and WB representatives in consultation with small technical teams within the ministries of Finance and Central Banks in Africa.

Challenges of IBs in the policymaking process Africa

Three main challenges continue to serve as impediments for IBs and their organisations in Africa's policymaking process. These are, first, the *limited understanding of how* these countries operate, which is more informal than the Western developed world where most of these IBs come from. Second is the *continued resistance and reluctance of these countries' political elites* to fully embrace the advice and undertake reforms developed by these IBs. Third is the *civil society groups' influence*, particularly workers unions and their nationalistic sentiments toward these bureaucrats and the organisations they represent.

IBs, the socio-economic environment and policymaking in Africa

Policy scholars have identified the environment as a key influence in developing and implementing public policies in different countries (World Bank 2005). This view has led many to criticise the one-size-fits-all, the "best practices" approach and policy diffusion policymaking in developing countries. The environment is generally defined as the sources of inputs and outputs, including persons, groups, organisations, the culture, and the value systems with which the state interacts. Therefore, to get the state right and discover new governance models in the public sector, many African countries have been highly influenced by the WB and the IMF's neo-liberal approach.

Unfortunately, this policy ideology seems to be at variance with the thinking and the general socio-economic and -political environment. As such, many have criticised the limited success of certain policy initiatives. Many of the IBs sent to African countries continue to fail to understand the environment they are supposed to help design and implement policies. In some cases, they fail to understand how governments operate in Africa. For example, in implementing the SAPs, most governments became reluctant to force such bitter policy pills down their citizens' throat. Hence, they continued to show lackadaisical attitudes to such policies, which baffled many IBs. For example, many found that in Africa, unlike the developed world, policymaking was more centralised. In some cases, centralisation and the benefits that policy elites gained led to resistance to change from a traditionally highly centralised decision-making process.

In other instances, some of these IBs underestimated the role of local institutions such as Unions and other non-governmental organisations (NGOs) that showed nationalistic sentiments toward states institutions. In particular state-owned enterprises, such nationalists resisted foreign advice and involvement in policymaking, seeing such agents as neocolonialists. Therefore, the failure to understand the socio-political environment was one of the significant attributes of the limited success of SAPs in Ghana (World Bank 1993). Thus, the designing and implementing of Western-inspired reforms have always been premised on the legal-rational model that prevails in the Western developed world, devoid of "bureaucratic irrationality." In short, *the environment out of which the reforms arose was more bureaucratic than the one in which they were implemented.* The proponents of the reforms assumed that they had a universal relevance and application.

The problem with this is that most of these expatriates or IBs used by the bank in the reform process hardly understand Africa's socio-economic and -political environments. Their mindset and expertise are embedded in Western administrative notions, values, and structures with the strict distinction between private and public. This attitude affected how they continuously conceptualise public policy and policy problems in the local environments they are working in. Consequently, policies being developed and implemented in their countries of origin are transferred to the African contexts without much adaptation. The problem with such an approach weakens policy development and implementation. In contrast, some of these policies are halted altogether as soon as such expatriates leave these countries. Ghana's bureaucracy has been undermined by these factors, affecting its ability to function as expected.

Administrative patrimonialism, public corruption, and political capture

IBs still encounter administrative patrimonialism, corruption, and political capture, which have made their work difficult in Africa. Administrative patrimonialism – characterised by kin, slaves, patronage, feudalism, prebendalism, local notables – is prevalent in Africa, frustrating policy performance. Hence, designing and implementing policies with IBs have been quite problematic. Political and bureaucratic corruption also constrains how IBs and their organisations work in African countries. IOs continue to express how corruption at both political and bureaucratic levels affect their ability to work. Therefore, it is not surprising that some of these organisations are not relying more on NGOs and local consultants to influence public policy. Using these "surrogate" organisations has also given these organisations and bureaucrats the necessary public legitimacy (Ohemeng 2005).

Another problem faced by IBs comes from civil society groups, particularly the Trade Unions, in the policymaking process. These Unions and other civil society groups

significantly influence the leeway of government action since the pre-independence period and still promotes democracy and good governance in Africa. The ability of these organisations to mobilise public protests and strikes affected the strong implementation of SAPs, besides influencing the development of some mitigating factors to cushion people on the effect of SAPs.

Similarly, this mobilisation led to the overthrow of old authoritarian regimes and ushered in democratic transitions in the early 1990s. This relatively high capability of Unions and other NGOs has hindered the ability of IBs to influence public policy more strongly. These unions created a forum for debate with governments and international agencies on national development strategies and the need for stronger social policies. This is different from what most IBs experience in their home countries because of Unions and other NGOs' fragmented nature. Consequently, IBs tend to modify their approaches, especially in designing policies, which they might have initially resisted. In so doing, they articulated widespread popular concerns about the effects of national and international policies and the need for new policies to address the social consequences of change (Ratnam 1996).

Conclusion: implications and recommendations

This chapter explored how IBs or simply ICSs play important roles in Africa's policymaking. This role has led to significant policy transfers and the adoption of a one-size-fits-all policy development, which led many scholars to argue that developing countries, particularly those in Africa, do not make policies. We highlighted the role of IBs in policymaking. While we hardly argue against the role of IBs in policymaking, their presence in African public institutions has created despondency among local bureaucrats, trade unions, and the citizenry. These local actors generally view IBs as hijacking the policymaking process and promoting ideas that benefit their organisations and their home governments to the detriment of indigenous citizens. Also, the inability of IBs to understand the contexts in which they work predisposes them to the false notion of a "one best" approach to issues affecting different countries in Africa.

Therefore, it is not surprising that many have argued that IBs and their organisations have failed to help develop Africa. Perhaps these international development partners are unwilling to confront the true causes of Africa's development failures for fear of being accused of encroaching on domestic matters and undermining state sovereignty (Kalu 2018, p. 17). After 40 or more years of trying to assist sub-Saharan Africa to develop and modernise, the region remains an enigma to the international policy community. It has adopted various strategies and approaches spanning from applying modernisation theory in the 1960s to providing support for services to meet basic human needs and neo-liberal market theories and good governance. Perhaps the local bureaucrats' agency in the policy process should be facilitated and promoted to give credence to the concept of policy ownership.

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11

TRADITIONAL CHIEFS AS INSTITUTIONAL ENTREPRENEURS IN POLICYMAKING AND IMPLEMENTATION IN AFRICA

Salomey K.G. Afrifa and Frank L.K. Ohemeng

Introduction

In recent years, the idea of policy or institutional entrepreneurs (IEs) in the policymaking process continues to gain traction in policy studies. These entrepreneurs play an essential role in the policy process by bringing resources and strategies to transform policy ideas into policy innovations and promote policy change or resistance to change (Petridou and Mintrom 2020). In the policymaking process, the capacity of entrepreneurs to use their attributes, skills, and available resources to effect change is essential (Mintrom 2019). Unfortunately, the literature on policy/IEs has been Euro-American centric. Thus, current research calls for more nuance in identifying policy or IEs not only from the European-American perspective but from other environments (Bakir and Gunduz 2020). Accordingly, this chapter looks at the role of policy entrepreneurship in Africa, looking particularly at traditional authorities (traditional chiefs – TCs) and policymaking. The TCs play meaningful governing roles and are key policy actors in policymaking and implementation. While studies show that both state and non-state actors can become institutional or policy entrepreneurs, not all non-state policy actors have equal treatment in the extant literature (Delville and Ayimpam 2018). We treat TCs as one particular set of non-state actors in Africa's policymaking and implementation processes. This is because, as Buur and Kyed (2007, p. 2) contend, in African countries,

[t]here has been expressive of a gradual resurgence and enlargement of the role of traditional authority in local governance, development, and national politics. Traditional leaders are increasingly being drawn into mainstream processes of state-building and democratization in various ways. In some cases, they now officially form part of bottom-up governance of some sort.

Indeed, TCs represent their communities and perform social, religious, administrative, and judicial functions. Also, elected officials consult and seek their advice on national issues (Baldwin 2015). Their authority and legitimacy are unquestionable. Hence, they engage in rulemaking, implementation, enforcement, and dispute resolution (Michalopoulos and

Papaioannou 2015). Despite being development brokers, little attention is paid to their role in the policymaking and implementation processes as IEs. How are TCs institutional entrepreneurs? What sort of entrepreneurial characteristics do they display, and how can they enhance or resist institutional changes in Africa? Based on desktop research and the extant literature, we show that TCs play a significant role as IEs in the policymaking process in Africa due to the legitimacy of traditional institutions. This chapter unfolds as follows. After this introduction, we will examine the idea of IEs, identify their characteristics, and what they do and how they do them. Next, we will provide the context of TCs as IEs in Africa, then examine the role of TCs as IEs in Africa before the conclusion with suggestions on future research.

IEs: who are they and what do they do?

The concepts of policy and IEs are used interchangeably in the literature. However, many believe that IE is more encompassing than policy entrepreneur. Therefore, we use IEs because it captures the nuances of persons who may not necessarily be considered part of the policymaking process and contribute to policy development and implementation. Notwithstanding extensive research on IEs, identifying who they are and their involvement in policymaking remains quite problematic because different terminologies such as political, policy, bureaucrats, institutional, and administrative are also used interchangeably to describe these people (Ohemeng and Kamga 2020). There is also the notion that one cannot have a single IE but rather collective ones (Wijen and Ansari 2007). As such, Petridou and Mintrom (2020) suggested the following: (i) the delimiting of policy entrepreneurs as a distinct class of actors, (ii) investigating contextual factors that encourage the emergence of policy entrepreneurs, (iii) further specifying the strategies policy entrepreneurs deploy, (iv) improving the measurement of the impact policy entrepreneurs have in the policy process, and (v) identifying when policy entrepreneurs prompt widescale change.

We broadly define IEs as individuals or “actors who leverage resources to create new or transform existing institutions” (Battilana et al. 2009). They undertake purposeful activity to initiate, maintain, or aggrandise one in the policymaking process. This definition agrees with that by Kingdon (1984), who describes policy actors as those who use their knowledge of the process to further their own policy ends. The difference, however, is that TCs are seen as not furthering their interest but that of the community. Additionally, they do not “lie in wait in and around government with their solutions at hand, waiting for problems to float by to which they can attach their solutions, waiting for a development in the political stream they can use to their advantage” (Kingdon 1994, pp. 165–6). Furthermore, they are not elected politicians, and neither are they leaders of interest groups or merely unofficial spokespeople for a particular cause. Instead, they are people with the knowledge, power, tenacity, and luck to exploit windows of opportunity and heightened levels of attention to policy problems to promote their ‘pet solutions’ to policymakers (Cairney 2012).

Characteristics of IEs

Several characteristics of IEs have been identified. Here, we focus on four major characteristics that are not mutually exclusive. In other words, the four characteristics may be displayed even in a single policy endeavour, as IEs attempt to influence the policymaking process. The first is that IEs are seen as *change agents* “who initiate divergent changes, that

is, changes that break the institutional status quo in a field of activity and thereby possibly contribute to transforming existing institutions or creating new ones” (Battilana et al. 2009, p. 67). Hall and William (1973) defined change agents as “those individuals in our society who have the role of bringing about constructive change in either other individuals or social organizations and institutions” (quoted in Ottaway 1983, p. 363). To be a change agent, one must initiate divergent changes and actively participate in their implementation (Battilana et al. 2009, p. 68).

As change agents, their objectives are to pursue specific interests and act strategically to create change. They do this by reconfiguring “roles, responsibilities, structures, outputs, processes, systems, technology or other resources” (Buchanan and Badham 1999, p. 610). Accordingly, they use whatever opportunity to access political connections, negotiating, leadership and team-building skills, knowledge about policy matters, and credibility to trigger change (DiMaggio 1988). A critical resource of change agents is power, which is “the capacity of some persons to produce intended and foreseen effects on others” (Wong 1979, p. 2), or “the capacity of individuals or groups to effect or affect organizational outcomes” (Mintzberg 1984, p. 208).

IEs display four types of power: institutional, interpretative, resources, and network (Sotarauta 2009). These forms of power enable them to rely on their expertise to convince key persons to change their perceptions on an issue, facilitate and control processes of institutional change, and use their personal or [group] networks to develop initiatives, obtain new information, and come up with strategies to facilitate institutional change. Power gives IEs legitimacy to pursue their interests and envisage strategies to effect the needed change. Altogether, power enables IEs “to create new institutions that promote their particular interests” (Iyengar et al. 2016, p. 2), and to shape the character of institutions, as well as a reward or punish either supporters or opponents.

Another characteristic of IEs is their *leadership roles*, which enable them to take advantage of events (Cairney 2018) to alter institutional arrangements. Cairney (2018) has identified three leadership strategies that allow IEs to succeed in engaging in institutional change. These are the capacity to define problems, the ability to solve anticipated problems, and the ability to adapt strategies to the specific nature of ‘windows of opportunity’. Showing leadership characteristics and taking action enhance the credibility of IEs to succeed in promoting changes.

The third characteristic of IEs is their ability to *build a coalition*, form, and manage networks to reach their intended goals or achieve their interest (Cairney 2018). Policymaking and implementation take place in a wide and dispersed environment with different constituencies. Such diverse constituencies include politicians, bureaucrats, actors from for-profit/non-profit sectors, and citizen groups (Ohemeng and Kamga 2020). Therefore, IEs must be effective builders of the coalition from various groups and expand their prevailing networks to succeed in their activities. This involves mobilising supporters, forging new relationships, and building coalitions with different groups to undertake institutional changes (Meijerink and Huitema 2010). IEs capacity to work in partnerships strengthens their ability to solicit the needed support to promote or resist policy change (Mintrom and Vergari 1996). In short, IEs use their positions to bridge diverse stakeholders, adopt new practices, and connect these practices to stakeholder routines and values to achieve their goal (Maguire et al. 2004).

The fourth characteristic of IEs is that they are seen as “*sensemakers and sensegivers*” (Zahra and Wright 2016). Sensemaking is when IEs try to make sense of a situation that needs to change to move from a present state to another (Ohemeng et al. 2018). Sensegiving is “the process of attempting to influence the sensemaking and meaning construction of others

toward a preferred redefinition of organizational reality” (Gioia and Chittipeddi 1991, p. 442). Sensemaking and sensegiving are important to IEs because of the meaning they tribute to a situation and influencing how others understand, frame, and make sense of an established or new structures, practices, and behaviours (Zilber 2002). IEs draw on schemas, mental nodes, frames, and rules to make meaning out of situations (Faling et al. 2019). They also use past experiences, practices, and habits as a narrative to make and give sense to constituents and others towards transforming or resisting existing institutional arrangements (Faling et al. 2019).

TCs, policy making, and development in Africa

Traditional leaders, chiefs, traditional authorities, traditional rulers, kings, and natural rulers (Baldwin 2015; Ray et al. 2004) are concepts used interchangeably to refer to the same person or institution in the literature (Herbst 2014). We, however, prefer TCs for consistency. From a strictly definitional perspective, these are the aristocrats in Africa since pre-colonial times. TCs are embodied in traditional chieftaincy institutions, reflecting the political, socio-political, and politico-religious structures of traditional African societies (Baldwin 2015; Ray et al. 2004).

TCs are considered as the earthly representatives of the gods and ancestors in the spiritual world. Their authority and legitimacy are unquestionable and accepted based on divine origin (Houghton 2010). Thus, under traditional authority, “legitimacy is claimed for it and believed based on the sanctity of the order and the attendant powers of controls they have been handed down from the past, ‘have always existed’” (Harrison 1960, p. 236). Before colonialism, TCs were in charge of well-established local government systems in Africa. They performed several functions related to land management, local development projects, community participation in development, the physical development of the town through communal labour, law and order (including the creation and enforcement of rules, settling disputes, and ensuring peace), and traditional religion (Honyenuga and Wutoh 2018). The advent of colonialism and the introduction of modern political institutions somehow eroded the influence of TCs in governance.

Still, TCs continue to play an important role in African societies (Honyenuga and Wutoh 2018). Today, traditional laws operate conterminously with national laws. TCs act as advisers on marriage, divorce, property ownership, inheritance, funeral rites, norms of civil behaviour, and settle disputes, and act as ambassadors of the townships in relation to the national governments. They continue to initiate and implement projects, and advocate for public policies and programs for the welfare of their societies (Honyenuga and Wutoh 2018). Some scholars argue for more extensive involvement of TCs in national politics and development (Honyenuga and Wutoh 2018). Arguably, the authority and legitimacy of TCs enhance democratisation and development, which they employ to resist seemingly draconian state policies. Thus, TCs can also use their legitimacy to create awareness and support government for effective public policies (Ubink 2007). Besides, their capacity to mobilise the community for collective actions and development has shifted the interest of state political actors to them as better promoters of local governance and development (Logan 2009).

TCs as IEs in Africa

Based on the characteristics of the IEs above, we look at the role of TCs in the policymaking and implementation processes in Africa.

TCs as leaders

The foremost characteristic of IEs is leadership (Child et al. 2007). This is an essential attribute of TCs, as TCs are seen as leaders of their communities (Williams 2010). To what extent, therefore, do TCs use their leadership roles to influence policymaking and implementation? Like other IEs, TCs use their leadership capacity to define problems, propose solutions to them, and adopt and adapt strategies to influence public policies. They do so by ensuring that interest issues are legitimised in the process (Cairney 2018; Child et al. 2007). Ray et al. (2004) believe that TCs' positive or negative rhetoric to policies enables them to initiate and achieve positive institutional change. One policy area in which TCs seem to have gained more traction is education (Maguire et al. 2004). Many TCs have come to realise the importance of education for the development of their communities. They have become vocal and take actions to ensure access to education in their communities across Africa is being taken care of by most governments like Uganda, Nigeria, Lesotho, Ghana, South Africa, Kenya, and Rwanda. TCs do not merely support education through positive rhetoric.

Still, they are rather actively involved in raising awareness of the importance of education for all their people, especially girls and the poor, marginalised due to social positions. Thus, some are now highly involved in managing schools from the primary to the tertiary levels. For example, in Ghana, TCs continue to influence the setting up of schools and advocate for the establishment of endowment funds to be accessed by the poor in their communities. At the same time, their voices have enabled the government to abolish traditional practices that affect girls' ability, for example, to go to school.

Besides giving positive rhetoric and telling good stories to attract institutional change, support for policy change is often backed by strategies. They help governments develop different strategies such as funding for infrastructure, poor students, and school supplies (Ray et al. 2004). Also, TCs' focus is on local economic development (Baldwin 2015). Given the high unemployment in many communities, TCs are using their leadership positions to attract the attention of policymakers and foreign investors to the potential of the economic viability of their communities. Consequently, they continue to appeal directly to the central government, international organisations, and investors for developmental projects (Ray et al. 2004). Their ability to influence economic development has been attributed to their role as 'owners' of the land, affecting land tenure systems on the continent (Baldwin 2014). In all, TCs use their position as the broker for development projects through their political influence (Baldwin 2015).

TCs as network and coalition builders

The IEs' capacity to work with coalitions and use their personal and external networks strengthens their ability to solicit the needed support to promote or resist policy change in the policymaking process (Mintrom and Vergari 1996). Coalitions have been described as "actors that have traditionally not been allies but who join forces to achieve a common goal" (Berriane and Duboc 2019, p. 399). Coalition builders can bridge social, regional, and ideological divides, developed in various social spaces such as anti-regime opposition groups; anti-globalisation networks; and movements claiming economic rights, the equal distribution of resources, and social justice (Berriane and Duboc 2019). Conversely, a network refers to active actors in each sector or issue area related to public policy. It can be thought of as a subset of that universe or a *policy subsystem*. Such "subsystems are forms of social networks which encompass the interrelationships existing between elements of the policy universe active in specific knowledge and political spaces" (Howlett et al. 2017, p. 233).

TCs are coalition and network builders (Baldwin 2014). How are TCs as network and coalition builders? In most countries, this idea of the network does not apply in a sense developed to TC because of the 'sanctity' of the chieftaincy institution. However, TCs are, in most cases, builders of such networks and coalitions to exert and pressure governments to develop and implement policies that may have the overarching goal of benefiting a particular community and the entire country. The literature has highlighted several areas that TCs have been able to use their capacity, the sanctity, and the legitimacy of the traditional institution to build such networks and coalitions, mainly in political mobilisation to enhance democracy and address environmental issues (Baldwin 2015; Buur and Kyed 2007).

TCs continue to build a coalition with political parties to promote democracy on the continent. Several scholars have highlighted how TCs can help promote democracy through network and coalition building (Baldwin 2014; Logan 2009). An excellent example of such network and coalition building is the coming together of TCs in the KwaZulu-Natal province in South Africa. Accordingly, Beall and Ngonyama (2009) noted that while the African National Congress (ANC) initially disassociated themselves from TCs after winning political power, winning over TCs became a key to ANC success in winning over opponents to control the legislative Assembly of KwaZulu-Natal. This recognition became possible after forming the Congress of Traditional Leaders of South Africa (CONTRALESA) in September 1987. This institution has now affiliated with some interest groups, consequently becoming very powerful in its governance system. Their ability to build a coalition has ensured that they are part of the decision-making process. In some cases, they use this network and coalition to lobby the government to accede to their policy requests. Similar examples exist in countries such as Mozambique, Somalia, and Uganda.

The Ghanaian National House of Chiefs plays a vital role in policy development and implementation. It serves as one of the institutions on the National Peace Council. The latter envisions a dynamic environment where people can engage in their lawful activities, confidence that institutions and mechanisms can mediate differences and grievances effectively and responsively. Together, this body has developed a mechanism to facilitate cooperation among relevant stakeholders in peace-building in Ghana. It promotes collaborative problem-solving to conflicts and institutionalises the processes of response to conflicts to produce outcomes that lead to conflict transformation; social, political and religious reconciliation; and transformative dialogues.

Concerning environmental policies, the familiarity of the local environment terrain has pushed TCs and nongovernmental organisations (NGOs) to form a coalition as a way of making governments develop effective environmental policies to help curb global warming, like in the case of The Na-Yiri of Kokologho in Burkina Faso, the sacred Mijikenda forests in Kenya, etc. In Ghana, the TC of the Akyem Abuakwa has established the Okyeman Environment Foundation (OEF) to manage environmental issues in his communities. The foundation collaborates with state organisations such as the Environmental Protection Agency to plant trees and reclaim land under its jurisdiction. The foundation organises environment week to coincide with world environment day to create awareness, educate and maintain conservation, and protect the environment. Also, it has established a Community Environment Protection Brigade (CEPB), which collaborates with the local government system in the area to hold joint programmes to ensure the direct participation of communities to engage in environmental protection activities.

TCs as sensemakers and sensegivers

Sensemaking is leaders' ability or those in authority to use cognitive and analytical skills to understand a given situation or a policy (Ohemeng and Kamga 2020). Such cognitive analysis makes it easier for them to develop strategies to address a given problem. Similarly, such cognitive and analytical skills help them give sense to others by explaining a problem or a policy issue using formal and informal information-sharing techniques. Therefore, sensemaking and sensegiving are the upward intakes of and the downward transmission of information (Gioia and Chittipeddi 1991).

This sensemaking and sensegiving show that TCs are well-known, and governments utilise them in policymaking and implementation processes. TCs' sensemaking and sensegiving extend to policymakers; bureaucrats, especially frontline ones; and the citizens in general. According to Ray et al. (2004), TCs use public gatherings and special occasions to make sense of policies and give sense to policymakers and citizens. Wunsch (1977) explained how frontline health bureaucrats used TCs in the 1970s to make sense of the government's policy on sanitation and give sense to citizens by spreading the news on general inspections and explaining what conditions town residents ought to remedy sanitation issues. The TCs explained to the population the rationale for these remedial efforts by the government, which led to the completion of the project more rapidly and more efficiently in towns. Wunsch (1977) further noted that traditional participation helped legitimise inspectors' role to inspect homes and make recommendations regarding sanitation. There are similar examples across Africa.

In all, TCs make sense by defining a problem and telling stories to grab and give sense to their audience. In so doing, they produce solutions to anticipated problems and adapted strategies to achieve their objectives. Thus, TCs have become useful in interpreting and transmitting policy ideas and information to the local population. Thus, they are a bridge between communities and central governments (Logan 2009). Gyamfi Afrifa (2020) has shown how TCs made sense of the government of Ghana's National Community Water and Sanitation Programme and helped their communities understand and accept a 5% community contribution to a central government-funded project. This acceptance has led these communities to access potable water and improved infrastructure, reducing water-borne diseases common in these communities.

TCs as change agents

Change agents are defined differently, especially in organisational change literature. Here, we look at a change agent from a broader perspective. Lunenburg (2010) defines "a change agent as anyone who has the skill and power to stimulate, facilitate, and coordinate the change effort" (1). Similarly, Armenakis et al. (1999) say that "anyone involved in initiating, implementing, and supporting change can be considered a change agent" (p. 8). From this definition, IEs can be change agents within or outside the organisation.

In Africa, TCs are recognised as change agents, especially at the community level. As change agents, their political position and ability to mobilise cooperation among their subjects enable them to pursue their interest and trigger the needed change (DiMaggio 1988, p. 14). One area in which TCs have become change agents is traditional cultural practices. Traditional cultural practices are values and beliefs held by members of a community. These practices have been inherited from generations and may be considered sacred by the community. Some of these practices are harmful to some members of the community.

Consequently, the international community continues to put pressure on such communities to change these practices. Therefore, such organisations have engaged TCs as change agents at the national and local levels to address such practices. Two practices where TCs have become change agents are female genital mutilation (FGM) or female circumcision and early marriage of young girls by older men. These examples are interesting because FGM “constitutes a tragic health and human rights issue of girls and women in several countries, mainly in Africa” (Rushwan 2013, p. 130), while early marriages affect the developmental progress of girls of school-going age.

FGM is “all procedures involving partial or total removal of the external female genitalia or another injury to the female genital organs, whether for cultural or other non-therapeutic reasons” (McCauley and van den Broek 2019). In most cultures, like among the Maasai, FGM is a part of the rites of passage, which indicates the coming of age of young female children. This has facilitated child marriage, which is defined as “any marriage carried out below the age of 18 years, before the girl is physically, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing” (Walker 2012, p. 231). This marriage can be formal or informal union. Walker (2012) has noted that the consequences of child marriage are felt at both the individual and societal levels. According to her, while such marriage has negatively impacted girls’ health, social status, and life chances, the practice likewise overburdens the social, public health, and economic infrastructure of developing nations. It threatens global notions of human security and sustainable development.

Therefore, how have TCs become the agents in changing these harmful cultural practices in Africa? TCs arguably protect ancestral ways, so they may not seem like natural vanguards of change. However, TCs are increasingly becoming change agents with the help of NGOs and governments in ending harmful practices by changing the minds of communities who continue to uphold these practices, using dialogue and power vested in them to enable governments to pass laws to abolish the practices. For example, with the help of these TCs, countries such as Ghana (1994), Burkina Faso (1996), Djibouti (1995), Ivory Coast (1998), Senegal (1999), and Togo (1998) have all banned FGM (Nabaneh and Adamson 2019). TCs can publicly condemn these practices as ‘inhuman and degrading’ and warn their subjects of the dire legal consequences. In Ghana, Kenya, Senegal, Ethiopia, and Tanzania, TCs mobilise their communities through durbars and other gatherings to communicate about FGM and correct misinformation associated with it. Indeed, TCs are more effective in disseminating health education about FGM than professional health workers engaged in ambulatory care due to their position in the system (Akweongo et al. 2020). In Zambia, the Njuri Ncheke Supreme Council of Ameru Elders in August 2009 condemned FGM. It resolved to impose a fine on any community member in any of the Meru districts who either conducts or participates in the practice.

TCs have also been critical in the fight against child marriage by issuing decrees and signing declarations to ban the practice in their chiefdoms. For example, in Zambia, TCs have banned girls’ initiation during school days, and the ceremony is now conducted only during school holidays. These leaders have gone further to develop an initiation curriculum with the support of Plan International Zambia, which has now become the reference book for initiators when they are initiating girls who have reached puberty. These are not the only areas where TCs are becoming change agents. In many African countries, chiefs communicated policies on the environment, family planning, child immunisation, hygiene, HIV/AIDS awareness, etc. Overall, some traditional mores and dictates are changing gradually in Africa due to the positions taken by TCs who exercise a powerful and influential role in their jurisdictions.

Conclusion

TCs are important actors in their jurisdictions and complement the government in developing and implementing public policies. Looking at the IEs literature, we have shown how TCs display IE characteristics: leaders, coalition builders, network builders, sensemakers and sensegivers, and change agents. This chapter provides evidence and avenues for studying how TC can be strong government partners to effect changes needed to develop participatory governance in Africa. As coalition builders, TCs can partner with the government to initiate activities in protecting the environment. As change agents, they can curb harmful cultural practices such as FGM and child marriage in their communities. Similarly, their ability to make and give sense has enabled them to make sense of government policies and ensure citizens' understanding and compliance.

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PUBLIC PARTICIPATION AND POLICYMAKING IN LOCAL GOVERNANCE IN AFRICA

Emmanuel Botlhale

Introduction

Citizen participation as the rationale for organising the public opinion to influence government action lies at the heart of democratic governance (Arnstein 1969; Åström 2019; Follett 1920; Roberts 2004). Public participation enriches democracy – by ensuring better decision-making, inclusivity, sustainability, evidence-based policymaking and strengthening political and administrative accountability (Cloete et al. 2014; Inter-Parliamentary Union 2015). Thus, democracy and local administration, for that matter, are inconceivable without citizen participation in key public affairs, namely, policymaking. Even though the concept of citizen participation has been commonly traced to the Ecclesia of Athens in ancient Greece (e.g. Roberts 2004), it is also endogenously African. In the egalitarian societies of pre-colonial Africa, for example, and even recently, public participation as a procedural public policy tool has become a salient feature in public affairs in contemporary Africa. The *barazas* in East Africa and African socialist philosophies of the 1960s demonstrate the perpetuity of public participation in Africa's governing processes. Recent studies show that such *barazas* have contributed to open accountability and a sense of ownership of government programmes by local communities (e.g. Cloete et al. 2014). Also, in pre-colonial Botswana, citizen participation was, and still is, actualised through *therisanyo* (consensus-building) at the *kgotla* (public assembly); thus, it is one of Botswana's founding principles. All public matters were debated at the *kgotla* with the ultimate goal of reaching a consensus. Therefore, public policy emanated from unbridled dialogue. The *kgotla* as a traditional system was and still is an institution serving as a forum for policy formulations, decision-making, including political and economic development activities and judiciary on litigations (Moumakwa 2010, p. 3).

Despite its many conceptualisations, citizen participation generally refers to citizens' activities to influence political-administrative decisions (Åström 2019). The study of citizen participation includes descriptions of new participatory landscapes, explanations for participatory inequalities and explorations of complex power relations when citizens participate in decision-making processes (Åström 2019). Citizen participation is either direct or indirect (Nabatchi 2011), and it comes in many variants. Arnstein's ladder, a much-cited approach to understanding citizen engagement, identifies eight forms of participation (Arnstein 1969).

These are manipulation, therapy [or non-participation], informing, consultation, placation [degrees of tokenism], partnership, delegated power and citizen control [degrees of citizen power]. The third tier, degrees of citizen power, denotes full involvement of citizens in the public decision-making process whereby citizens become partners in making decisions, thereby directly influencing policy formulation and implementation. The ladder ranges from low to high levels of decision-making engagement. Notably, there are other forms besides Arnstein's ladder.

Local governance structures provide the context within which citizen participation in policymaking is appended to achieve and organise public policy's bottom-up feedback processes. This implies and involves both formal and informal processes of citizen mobilisation. In this way, public participation links policymakers with citizens and other stakeholders, mainly politicians. Especially at the local level, citizen engagement is a tool for creative solutions to societal challenges that governments face (Siebers 2018, p. 232). From budgeting processes to water management and environmental protection programmes, citizen participation is crucial in pursuing a sustainable and democratic process (The Hague Academy for Local Governance 2019). Given the importance of citizen participation, notably in an era characterised by a distrust of the government and citizen disengagement (Stivers 1990), governments must transition from being a provider of services towards developing closer partnerships with all relevant stakeholders (OECD 2017). This transition has been characterised by the restructuring of the government, mainly through the creation of local government structures. Therefore, citizen involvement is a must in the Open Government initiative and a primary ingredient in the policymaking process as stipulated in the constitutions of most African governments today (for further discussions on this see, *Chapter 50* of this volume).

Conversely, the policymaking process is best understood as the 'stages model', for it is thought to consist of stages. Synonyms are the linear model, the sequential model, the heuristic stages model and the public policy cycle as manifest, for example, in the works of Anderson (2014), Brewer and DeLeon (1983) and Jones (1997), etc. Various authors have developed their stages models, and the number of stages varies between five and seven. However, Howlett and Ramesh's (2003) model is widely used in the public policy literature. It has five stages: agenda-setting, policy formulation, adoption (or decision-making), implementation and evaluation.

Vital to note, the stages model of Howlett and Ramesh (2003) and similar works only tells part of the story. The public policy process is complex and hardly as straightforward as the stages model suggests. Although the stages model simplifies the complexities in the public policy process, a useful simplification of the said complexities is insufficient in discerning the realities that animate the practice of policymaking. In line with Howlett/Ramesh model, this chapter argues that citizens must participate in all stages, except in the implementation stage, which is a preserve for bureaucrats. It also argues that while citizen participation is socially desirable, citizen apathy is a problem and citizens can be 'too passive and apathetic' in their involvement (Stivers 1990, p. 87).

Consequently, the government must make conscious efforts to create conditions where citizen participation would thrive. This would involve both structural and normative shifts founded on accountability, representation, responsiveness and responsibility by both the government and other stakeholders, mainly the media, political parties and the civil society. The prevailing deficits in the principles of responsibility, representativeness and accountability found at the heart of local governance have constrained effective citizen participation across Africa (Brinkerhoff and Crosby 2002).

Participatory models and processes

This chapter mainly focuses on the formal arenas of public participation. Scholars and practitioners have developed numerous models, frameworks and typologies of citizen participation (e.g. Arnstein 1969; Brinkerhoff and Crosby 2002; White 1996, etc.). Given this diversity, it is not feasible to cover all participatory models and processes within the confines of this chapter. I consider Arnstein (1969), Brinkerhoff and Crosby (2002) and IAP2 (2007) based on their similarities, as summarised in Table 12.1.

Using the concept of feasible maximum participation, a concept born of the Community Action Programs where poor people determined what would maximally help them under President Lyndon Johnson-initiated Economic Opportunity Act of 1964, I prefer the far-right continua of Arnstein's, Brinkerhoff and Crosby's and International Association for Public Participation's typologies of citizen participation. Arnstein's, Brinkerhoff and Crosby's and International Association for Public Participation's far-right continua are citizen control (total citizen control); empowerment (transfer of control over decisions); and empowerment (to place final decision-making in the hands of the public), respectively.

This chapter argues that where feasible, citizen participation in the public policy process must be maximised. The preceding discussion recognises that there are no free lunches (a popular refrain in Economics) because citizen participation entails costs. Numerous works discuss the benefits of citizen participation on citizens and the government (see Stivers 1990). There are disadvantages or costs on the downside, such as time wasted over consultations (e.g. Hollnsteiner 1976). Also, motivating citizens to participate in public policymaking is challenging (see Stivers 1990). Despite governments' efforts to promote direct citizen participation, some citizens do not partake of the opportunity (Antonini and Fini 2011; Stivers 1990). Despite the disadvantages or costs of citizen participation, coupled with either apathy or disengagement from the government, there is a virtue in actualising citizen participation. Therefore, the government must adopt a Cost-Benefit approach to actualising citizen participation. It must engage in citizen participation until marginal benefits equal marginal costs, as illustrated in Figure 12.1.

Using the marginal decision rule, which states that a profit-maximising firm (in this case, the government) should increase output (in this case, citizen participation) until the marginal benefit of an additional unit equals the marginal cost (e.g. see Rittenberg and Tregarthen

Table 12.1 Participatory models and processes

<i>Author (s)</i>	<i>No. of stages/ rungs</i>	<i>Features and processes</i>
Arnstein (1969)	8	(i) Manipulation; (ii) therapy [(i) and (ii) = non-participation]; (iii) informing; (iv) consultation; (v) placation [(iii), (iv) and (v) = degrees of tokenism]; (vi) partnership; (vii) delegated power; and (viii) citizen control [(vi), (vii) and (viii) = degrees of citizen power].
Brinkerhoff and Crosby (2002)	5	(i) Information sharing: one-way information flows; (ii) consultation: two-way information flows and exchange of views; (iii) collaboration: where other groups are involved but the initiator retains control; (iv) joint decision-making: shared control over decisions and (v) empowerment (transfer of control over decisions).
IAP2	5	(i) Inform; (ii) consult; (iii) involve; (iv) collaborate and (v) empower (to place final decision-making in the hands of the public).

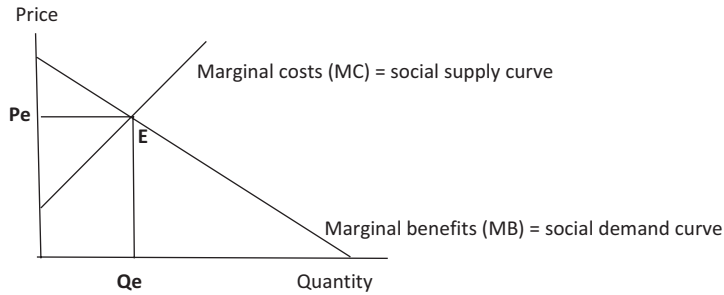


Figure 12.1 Allocatively efficient citizen participation

Where E = equilibrium (where marginal benefits = marginal costs); P_e = Equilibrium price and Q_e = Equilibrium quantity.

2008 on this rule), citizen participation should be undertaken until point Q_e . Thus, any point to the left of Q_e results in sub-optimal citizen participation ($MB > MC$), while any point to the right of Q_e will result in inefficient citizen participation ($MB < MC$).

When marginal benefits = marginal costs, this is feasible maximum participation. Thus, Q_e will result in feasible maximum citizen participation, and, therefore, allocative efficiency¹ in citizen participation is only reached at Q_e . Notably, governmental units are assumed to be *homo economicus* (utility-maximising economic men), which maximise utility (in this case, citizen participation) subject to cost. At the same time, citizens are assumed to be *homo economicus* in the sense that, *ceteris paribus* [all things being equal], they would like to maximise their participation in the public policy process as instanced by the demand curve/marginal benefit curve in Figure 12.1. However, citizens are not necessarily utility maximisers when it comes to participation in the public policy process (Antonini and Fini 2011; Stivers 1990).

In retrospect, although behaviouralists have assailed the rational model for its applicability difficulties because of information, time constraints and cognitive limitations (Simon 1957), it is a very useful abstraction of reality. It models the behaviour of economic units on the supply (government) and demand (citizens) sides of the market (citizen participation in public policy). By using the *ceteris paribus* axiom, we can model the behaviours of the government and citizens. That is, both are expected to be rational and utility-maximising economic units that will maximise the benefits of citizen participation, on the one hand, and minimise costs, on the other. Of course, what they may do in practice may depart from rational behaviour. However, for analysis, we assume their behaviours to be in accord with the actions of *Homo economicus* as they navigate their way in the maze of citizen participation in the public policy process.

Measuring citizen participation in public policy processes

To reiterate an earlier point, both researchers and practitioners agree that citizen participation in public affairs promotes macro-outcomes such as transparency, accountability, responsiveness, efficiency and government effectiveness. Given its omnipotence, how is citizen participation measured? It is important to note that measuring citizen participation poses methodological problems; are we measuring what we think we are measuring? Validity (the extent to which a concept is accurately measured, see Kelley 1927) is key in research. Therefore, researchers must ensure that they measure salt, not sugar if they set out to measure salt. Similarly, citizen participation is not directly measurable like quantitative variables such as Grade Point Average and the number of points scored in a soccer game. Thus, it is a construct we cannot touch or feel, let alone see it.

Questions arise; does the number of public policy processes provide a valid and reliable assessment of citizen participation in the public policy processes? Do numbers translate into genuine citizen participation? Indeed, there are no easy answers to the preceding questions. Public participation is an inherently complex and value-laden concept (Nabatchi 2011, p. 15). Furthermore, there are no universally accepted criteria for judging the success and failure of citizen participation efforts (Nabatchi 2011, p. 15). Despite methodological problems, participation can be measured using proxy measurements.

A proxy is an indirect measure of the desired outcome, which strongly correlates to the outcome (GovEx 2017). A proxy is used when direct outcome measures are unobservable and/or unavailable (GovEx 2017). Proxy measures can be powerful tools for governments that do not have the exact data they want but know the outcome they are trying to achieve (GovEx 2017). For example, infant mortality rates are direct healthcare quality measures, but they can also serve as proxies for a community's economic and social welfare (GovEx 2017). Proxy measurement is not a perfect science, but it gives one an idea regarding the variable of interest (in this case, citizen participation). Some organisations, for example, the Council of Europe, have developed citizen participation measurement proxies. The CLEAR framework summarises the various insights and understanding research of public participation (CLR D 2008).

It argues that participation is most successful where citizens can do, like to, are enabled to, asked to and responded to (CLR D 2008, p. 9). CLEAR means: (i) **C**an do – that is, have the resources and skills and knowledge to participate; **L**ike to – that is, have a sense of attachment that reinforces participation; **E**nabled to – that is, are provided with the opportunity for participation; **A**sked to – that is, are involved by official bodies or voluntary groups; and **R**esponded to – that is, see evidence that their views have been considered (CLR D 2008). From the CLEAR framework, five questions are critical: (i) does the community have the resources, skills and knowledge to participate? (ii) does the community have a sense of attachment to the governmental unit? (iii) is the community provided with the opportunity for participation? (iv) is the community involved by official bodies or voluntary groups? and (v) is there evidence that their views are considered in policymaking (CLR D 2008)? Even though the CLEAR tool is a European invention, it can be used in other contexts. The overarching objective of the tool is 'to help local authorities and other organisations or groups at the local level to better understand public participation in their localities', and 'it is a diagnostic tool: one which helps identify particular strengths and problems with participation (CLR D 2008, p. 7).

In a related vein, Nabatchi (2011) has developed a tool to evaluate citizen participation, particularly of the direct variant (this occurs when citizens are personally and actively engaged in decision-making (Nabatchi 2011, p. 8). Direct citizen participation is: organised or used by government agencies; designed to achieve specific goals and involved some level of interaction between the agency and participants (Nabatchi 2011, p. 8). Evaluation takes two variants: (i) process (which can help managers better understand and improve the implementation and management of a citizen participation program), and (ii) impact evaluations (which can help managers determine whether the citizen participation program reached its intended audience and produced its intended effects) (Nabatchi 2011, p. 6).

Nabatchi argues that evaluation confers some of these benefits: accountability (officials are held to account through evaluations); management (helping with programme management); finance and resource (ensuring that public monies are properly used); legality (evaluation can help to determine if participation frameworks are in accord with relevant laws and/

or regulations); ethics (e.g. is their fair participation?); ownership (ownership of problems) and research and theory support (improving the study and practice of citizen participation). In line with the rubric in various programme evaluation works, citizen participation programme evaluation has five basic steps. These are: (i) pre-design planning and preparation; (ii) evaluation design; (iii) implementation; (iv) data analysis and interpretation and (v) writing and distributing the results (Nabatchi 2011). It is adducible that there are deliberate pre- and post-programme activities that attend to citizen participation programme evaluation. The CLEAR tool applies to African contexts given the ongoing efforts to democratise local governments through citizen participation as a procedure in the public policy process. The idea is to develop a results-based evaluation tool in the style or manner of Kusek and Rist (2004) to ensure the success of participation.

Citizen participation in governance processes in Africa

In recent years, several tools for measuring public participation in Africa have been formulated. These include:

The Ibrahim Index of African Governance (IIAG): One of the proxy measures for citizen participation in Africa is IIAG, which measures and monitors African countries' governance performance (Mo Ibrahim Foundation 2020). The key components that form the four categories of the IIAG are Safety & Rule of Law, Participation & Human Rights, Sustainable Economic Opportunity and Human Development. Published in 2007, the IIAG was to provide a quantifiable tool to measure and monitor governance performance in African countries, assess their progress over time, and support effective and responsive policy solutions.

(Mo Ibrahim Foundation 2020)

The Participation & Human Rights category measures civil and political rights and freedoms by assessing citizen participation in the political and electoral process; respecting basic rights; and the absence of gender discrimination through the sub-categories Participation, Rights and Gender (Mo Ibrahim Foundation 2020, p. 37). As per the 2019 IIAG report, Participation & Human Rights on the continent continues to improve. Between 2008 and 2017, the average African score for Participation & Human Rights has increased. It reached its highest score across the last ten years in 2017 (49.2 out of 100.0).

Notably, Participation & Human Rights has increased by +2.9 points since 2008, hence Africa's second most improved category in the IIAG over the decade after Human Development (Mo Ibrahim Foundation 2020). Although all the three sub-categories of Participation & Human Rights have improved, the overall progress of the category is attributed to Gender (+4.5 points since 2008) (Mo Ibrahim Foundation 2020). A *caveat* is in order here because the progress in Participation has been mainly driven by improvements in African Democratic Elections, not so much by improvements in citizen participation in the political process. Vital to note, participation in the electoral process is only one aspect, perhaps an insignificant one, regarding the calculus of participation in public policy processes. In this regard, the report appropriately and concretely puts it when stating, 'better elections, but not a better participatory environment' (Mo Ibrahim Foundation 2020, p. 40). Thus, there has been a decline in Civil Society Participation in Africa (citizens participate in public life as individuals and collectively through NGOs). This trend is most visible in some of Africa's most populated countries.

The Africa Governance Report (AGR) is another tool that assesses citizen participation in governance in Africa. The AGR assesses the state of governance in Africa to provide the Member States with a comprehensive baseline to assist governments in enhancing governance (APRM 2019). The 2019 one was the inaugural report prepared by the African Peer Review Mechanism (APRM). The report notes that ‘the practice of constitutionalism and the rule of law mandate effective public participation in governance’ (APRM 2019, p. 35). In this regard, citizens, either individually or collectively through NGOs, can ensure that their needs and interests are effectively addressed by participating in various public decision-making processes (APRM 2019, p. 35). Thus, popular participation enhances the quality of government decisions and the prospects of their successful implementation (APRM 2019, p. 35). Thus, it stands to common reason that public officials must consult end-users and/or beneficiaries of public policies by ensuring that their voices are not only heard but listened to (APRM 2019).

Accordingly, ‘effective participation requires access to information and transparency so that the public can see whether and how their contributions have been considered’ (APRM 2019, p. 35). The report notes that several African countries (however, not all the 54 countries) place a high premium on the usefulness of public participation and access to information. Therefore, they have enacted Right to Information (RTI) legislation. These RTI Acts enlighten citizens on their RTI held by the government, enabling them to participate in public affairs effectively (APRM 2019).

Relatedly, ‘local government structures are also utilised in many countries as a mechanism for encouraging citizen participation’ (APRM 2019, p. 35). Overall, the report notes that citizen participation is constrained as follows: the absence of clear procedural mechanisms, poverty, discrimination and the failure of government agencies to give feedback. In a related vein, the report decries the low participation of Africa’s youth (persons aged between 18 and 35 years) in public affairs. Thus, it prompts African governments to prioritise the signing, ratification and implementation of the African Youth Charter of 2006. The suite of recommendations on enhancing Public Participation in Governance is:

- i The Member States are invited to ratify the African Charter on Values and Principles of Public Service and Administration.
- ii The Member States are encouraged to adopt inclusive electoral systems, including proportional representation.
- iii The Member States are encouraged to ensure the independent administration of elections, and fair and speedy resolution of electoral disputes, under ACDEG (African Charter on Democracy, Elections and Governance).
- iv The commission assigned for formulating the constitution must be composed of all categories of the society, including the marginalised groups, women and the disabled (APRM 2019, p. 14).

It is adducible from the IIAG and AGR that citizen participation in public affairs is problematic in Africa. While IIAG’s Participation & Human Rights score is not dis-aggregated, it masks citizen participation; when dis-aggregating, it gives one a sense that the contours of citizen participation in public policy processes are shrinking. The AGR is more forward in its analysis of citizen participation in public affairs in Africa. Besides, others discuss citizen participation in public affairs in Africa. One such report is by the Panos Institute West Africa and United Nations Development Programme (2009). The study focused on six countries: Burkina Faso, Cape Verde, Côte d’Ivoire, Ghana, Nigeria and Senegal. Overall, the study

concluded that *e*-participation was still in infancy, and more was needed to leverage the utility of *e*-platforms. Thus, national governments must develop citizen-centric, citizen-oriented policies that include the most vulnerable and marginalised, including women and young people (Panos Institute West Africa and United Nations Development Programme 2009, p. 69). ‘The suite of recommendations includes:

- i Strengthening the political will to adopt this new vision of democratic administration of the state and to address the ensuing changes.
- ii Developing inclusive public policies.
- iii Creating a new institutional culture in public administration and consolidating local governance.
- iv Developing an integrated approach that improves the value of the services provided to citizens and businesses.
- v Developing services for the most marginalized members of society.
- vi Integrating government processes and services using ICT’ (Panos Institute West Africa and the United Nations Development Programme 2009, p. 69).

In addition, some works relate to case studies on citizen participation in Africa. While these cases generally acknowledge public participation, some constraints remain to allow full citizen participation. In South Africa, Plessing (2017, p. 73) contends that ‘technologies of governance, participatory mechanisms do not increase local democracy because they are not designed to do’ and ‘development agencies and government work within predetermined results-based logic, where lines of accountability lead to donor countries or heads of the department rather than back to the citizen’. In Lesotho, Mothepu *et al.* (2015, p. 903), using the case of Qacha’s Nek, argue that ‘although citizen participation is currently taking place, it is limited and mostly undertaken by the community to get a reward’. These demonstrate inadequate attempts to actualise citizen participation in local public affairs across Africa. They also point to problems with external incentives, lack of democratic culture and weak civil society, profound poverty, demands for immediate results and the lack of an institutional infrastructure (Denhardt *et al.* 2009, p. 1268).

Recommendations

Despite African governments’ efforts to actualise citizen participation in local public governance, the record is mixed: successes and failures, overly punctuated by the latter. This chapter proposes some policy recommendations.

Commitment to participation: it is one thing for the government to proclaim one thing but mean the other through deed or action. That is, word and/or proclamation and doing do not always match. Therefore, there must be a genuine commitment to the ideal of citizen participation in local public governance. In this regard, local governments must develop a results-based Monitoring & Evaluation framework in the style or manner of Kusek and Rist (2004) to ensure the success of the implementation of citizen participation.

Accountability framework: there is an imperative need to develop an accountability mechanism, for instance, through creating a Citizen Participation Ombudsman, to ensure that local governments actualise citizen participation in local public governance. Amongst others, local governments must file citizen participation reports with the office of the Citizen Participation Ombudsman. In this regard, there must be a radical departure from

existent practices where recommendations of oversight bodies such as parliamentary oversight committees and the Ombudsman are not actionable. Thus, such recommendations should be fully actionable so that local governments do not cherry-pick recommendations that they like.

Active citizenship: citizen participation in local public governance is mainly contingent upon active citizenship. Even though active citizenship is a contested concept, it frequently describes citizens that engage in a broad range of activities that promote and sustain democracy (Hoskins 2014). Active citizenship activities include civil society activities such as protesting and collecting petitions, community activities such as volunteering and conventional political engagement such as voting or campaigning for elections (Hoskins 2014). Unlike in the global North, particularly the USA, active citizenship is generally a problem in the global South, particularly in Sub-Saharan Africa. Many factors have saliently hindered the active participation of citizens in Africa (Pacho 2014, p. 292). So, there is a need to develop and enhance the ideal of active citizenship across Africa. Thus, citizens must take responsibility and assert themselves in public policy processes.

Active civil society: citizens participate in local public governance individually or severally (through civil society organisations). Civil society is 'the area outside the family, market and state' (World Economic Forum 2013, p. 8). For most of Africa, civil society would include trade unions; professional associations; church and para-church organisations; resident, student, business and other special interest associations; the media (Makumbe 1998, p. 305). Overall, civil society is weak in Africa (e.g. Gyimah-Boadi 1996). Reasons for a weak civil society vary; some are endogenous (e.g. weak organisation) while others are exogenous (e.g. sabotage by the state). All the same, endogenous and exogenous factors need to be addressed. Sub-Saharan Africa has a robust civil society to serve as a conduit for citizens to partake in public affairs meaningfully.

Decentralisation: decentralisation positively correlates with citizen participation (Clarke 2019). There are three types of decentralisation: deconcentration, devolution and delegation. However, a typical African state is largely centralised despite avowals to decentralisation. In most cases, decentralisation means deconcentration. Therefore, there is an imperative need for genuine decentralisation (devolution variant) to facilitate citizen participation to engender localisation whereby citizens meaningfully partake in local public affairs.

Right to Information (RTI) Acts: participation depends on transparent governments. Thus, legislative instruments such as the RTI acts are key. Agitation for the adoption of freedom of access to government information is an emerging issue in Africa and has gathered momentum since 2000 when South Africa passed the first freedom of information (FoI) law in the continent (Asogwa and Ezema 2017, p. 318). Asogwa and Ezema state that only 14 (25.5%) of the 55 countries in Africa had signed FoI laws as of 31 January 2015. Post-2015, the situation is yet to improve. Hence, there is a need to promulgate RTI acts to favourably circumstance citizens to partake in public affairs by, amongst others, having the legal right to demand information from public officials forcefully. Notably, without RTI acts, participation in public affairs is constrained since the same is facilitated by information.

Conclusion

Democracy is both inconceivable and impractical in the absence of citizen participation in public affairs. It begets benefits at decision process and outcomes levels. Genuine citizen participation correlates with macro-outcomes such as responsive, accountable, efficient and

effective local governments. Due to these benefits, local governments in Africa, as elsewhere, have put in place mechanisms to actualise citizen participation in public affairs. The record is mixed: successes and failures, with a preponderance of the latter. The causes of participatory deficits are varied. Some are micro (caused by an individual citizen), while others are macro (caused by the state). Moving forward and given the uncontested utility of citizen participation, there is a need for both micro and macro solutions to ensure effective citizen participation. These include a commitment to participation, accountability framework; active citizenship; active civil society; decentralisation and passage of RTI acts. Genuine citizen participation will most likely enrich democracy and rule-of-law in Africa and beget responsive, accountable, efficient and effective local governments. Ultimately, participation will most likely lead to the attainment of Agendas 2063 and 2030.

Note

- 1 Allocative efficiency is an output level where the price equals the marginal cost. It is concerned with the optimal distribution of goods and services.

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FRAMING POLITICAL POLICY COMMUNICATIONS IN AFRICA

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Introduction

The political environment is increasingly becoming complex with punitive political consumers. Thus, political elites need to constantly review their strategies to stay relevant and garner continuous support for re-election (Lees-Marshment 2019). While varied factors explain voter choices in contemporary politics, the influence of policy positions on voter choice cannot be underestimated (Scammell 2015). Consequently, policy communication has become a crucial area of political marketing. Traditional frames of political communication get transformed to meet the changing demands of the political market. Political communication has changed how to convey a message to resonate with the fragmented target audience who no longer embrace passive communication. Political Communication is critical for winning elections because it potentially alters the attitudes of political consumers (Mensah 2016; 2017). A new media has provided greater interactivity between political elites and political consumers, thereby influencing political practices in developing democracies like those in Africa. Innovative policy dialog, delivery of progress reports on policies and accountability to the citizenry that has come with these new platforms subtly influence the nature and behaviour of politics in Africa.

Communicating tacit knowledge in the policy process is key in facilitating the process and eliminating multiple stakeholders' interpretation and meanings (Madichie and Hinson 2014). Effective policy communication is an inherent part of party branding in political campaign activities and demonstrates delivery in government. More direct communication through social media has become the new normal. Social media, mass media, press conferences, town hall meetings, policy and result fairs are efforts to communicate policy delivery.

This is because citizens need to know and appreciate government achievements in policy statements, which provide information short-cut for support and re-election (Lees-Marshment 2019). Policy communication provides political consumers with information on whether to vote for the government (Lees-Marshment 2019). Being in touch and keeping citizens informed make delivery communication inevitable in contemporary politics, especially when political elites desire to achieve meaningful connection and a sense of community. Also, policy delivery assumes importance and takes centre stage of politics (Scammell 2015). Therefore, when citizens are informed, relationships are strengthened, and

governments score high on policy delivery evaluation with effective policy achievements (e.g. Mensah 2012).

Similarly, policy communication failure can lead to party brand avoidance and limited attention in the political marketplace. Policy development and delivery communication deepen stakeholders' experience with the party brand and ultimately establish the party's value among political consumers. Policy communication in an era of information overload is a means to convey information and a strategic resource to mobilise and define political thought and participation (Madichie and Hinson 2014). Thus, how it is presented and who says what is vital in communication. These should be evaluated to build internal cohesion and induce the target audience enthusiasm for desired results. In Africa, where political involvement is low, policy information induces a desire for political participation. Therefore, information and interpretation of the content are important for political understanding and policy appreciation. It helps political stakeholders to situate themselves and actively participate in ongoing political discourses.

This chapter highlights trends in policy communication across three African countries, drawing on political marketing theory to understand the "new politics" that have recently shaped the democratisation project in Africa. We review documentary evidence (including publicly available images from social media platforms) on political branding, communications and marketing. A collection of policy communication materials, mostly flyers, posters and social media posts, from websites and social media platforms (scan on Facebook, Twitter and Google) of the political parties were interrogated. Purposive sampling was used for the case countries based on recent reports of their performances in democracy and technological advancement (notably the adoption of social media into formal political communications). Following an introduction to the new forms of policy communication by looking at drivers underpinning the phenomenon, we present the conceptualisation of policy brand management (PBM) in a four-phased model with a detailed explanation of the model items. This is followed by a three-country case illustration (Ghana, Nigeria and Kenya). This chapter concludes with an observation that modern political parties treat the policy as a brand in a mix of a product portfolio that includes the party and candidate brands and allocates resources in managing them just as corporate organisations do.

Conceptual framework – the PBM

PBM, which includes how policies are developed and disseminated, is part of the political branding phenomenon that has been widely researched and articulated in the literature (Worcester and Baines 2006; Mensah 2011). Political branding generally is how parties identify and differentiate themselves to voters and the political market in general, including the media, civil societies, prospective financiers and even the competing parties. Political branding could be seen from how parties conventionally identify themselves with their colours, emblems, tradition and the ideology that positions them along the left/right continuum (Narteh et al. 2017). Mensah (2011) notes that policy branding is the process of developing policies responsive to the issues that voters care about and communicating them through accessible channels. In this case, marketing tools, mainly market research, segmentation and targeting, are central to building a policy brand as with any other type of political branding (Worcester and Baines 2006). This process involves four parts: policy needs identification, policy framing, policy packaging and policy dissemination.

Policy identification locates the needs of the target people in policy determination. The second and third, *policy framing* and *packaging*, are about designing policy content to ensure its

Policy Need Identification	Focus Group	
	Observation	
	Experience	
Policy Framing	Valence Framing	
	Semantic	
	Rhetorical persuasive devices	
	Broadcast messaging	
	Narrowcast messaging	
Policy Packaging	Association cues: <ul style="list-style-type: none"> • Policy names • Symbols/logos/colours • Slogans • Endorsements 	
	Policy Dissemination- Integrated Marketing Communication (IMC)	Press release
		Press conference
		Press launch
		Policy fair
Street canvassing		
Merchandise		
Advertisement <ul style="list-style-type: none"> • Radio and television • Outdoor • Newspaper • Social media 		

Source: Authors

Figure 13.1 Policy brand management framework

understanding by stakeholders and, similarly, capturing the target audience’s aspirations to be identifiable, acceptable and differentiated. *Policy dissemination* looks at the medium of transmitting the policy using channels accessible to the target audience. Policy development and dissemination come in four distinct phases in the PBM concept, as noted in Figure 13.1. The first phase, which is policy need identification, is not covered in this chapter involves investigating the needs and wants of the public to develop voter-oriented policies (Mensah 2011; Worcester and Baines 2006). It consists of applying market research, co-creation, segmentation, targeting and positioning, and building relationships with voters to understand their needs.

Policy framing

Besides marketing concepts, policy communication is influenced by public relations (PR) theories, especially *framing*. As a deliberative activity, public policy is a value-laden process, constructing social reality from the stakeholders’ perspectives. According to Hallahan (1999), framing helps shape the perspectives through which people see the world. Hallahan notes that the “framing metaphor is better understood as a window or portrait frame

drawn around information that delimits the subject matter and, thus, focuses attention on key elements within” (p. 207). Moreover, framing “involves the processes of inclusion and exclusion as well as emphasis” (Hallahan 1999, p. 207). Thus, framing helps in the brand’s function of identification and differentiation from both supply and demand sides of policy production and consumption. To this end, “to frame is to select some aspects of perceived reality and make them more salient in the communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation for the item described” (Entman 1993, p. 55). Hallahan further observes that frames reflect judgements made by message creators or *framers*.

Consequently, framers may determine a whole policy text – or different portions – to be positive or negative. This is referred to as valence framing. *Semantic framing* is where text framing involves a simple alternative phrasing of terms (Hallahan 1999). Therefore, policy framing could be likened to the manufacturing of a product, where parts as inputs are influenced by the needs of the target consumer and other factors, including the design capabilities of the manufacturer. Both supply- and demand-side factors influence the process. In policy framing, political expediency also influences the process besides the policy needs of the target people. Policy design is influenced by factors like term limits in office, budgetary allocations to the policy hosting institution and electoral considerations.

Also, the rhetorical theory is instrumental besides valence and semantic approaches in executing framing. Again, rhetoric focuses on how PR construct messages and meanings intended to influence key policy issues (Hallahan 1999). Rhetorical devices include argumentation, advocacy and persuasion; dialectics and discourse; dramatism and storytelling (Hallahan 1999). These rhetorical approaches involve three themes in Aristotle’s rhetorical persuasive devices: ethos, pathos and logos (Mensah 2011).

Communicative text or advertising sometimes employ “vicarious classical conditioning where a social model is seen in an ad responding favourably to a brand’s message.” The objective is to enact the ad’s target audience as depicted in the ad by the social model. Put differently, the ad should induce the same response in the observer or the consumer of that ad because the source character in the ad, the social model, is credible or ethical, thereby convincing the ad’s audience. This mode of persuasion is the ethos-self (credible or ethical, for example) projected. On Aristotle’s rhetoric, Ryan observes that ethos roughly describes – character or – moral character (Ryan 1992, p. 294). Hence, persuasion based on ethos is effected through speech when one possesses three things: good sense, good moral character and goodwill, which inspire confidence in the orator’s own character ... and that induce us to believe a thing apart from any proof of it. Anyone having all three of these good qualities will inspire trust in his audience (Ross 2010, p. 60).

Communicative texts, including policy documents designed within the logos framework, would make references to a set of assertions; make claims and counterclaims; and support these with evidence that includes lived experiences, data and other credible and verifiable sources (Deighton 1985, p. 433). Accordingly, policy framing is managed to elicit emotions or make sense of the evidence (Mensah 2011). Concerning the former, there is significant use of imagery in political ads.

Policy packaging

Packaging is a means of managing policy brands by establishing what Ugglä (2005) refers to as the brand association base – a semiotic reference point or imagery used to crystallise the brand’s identity or personality in the minds of target customers. It is the connection a brand

establishes with its stakeholders through, for example, name, logos (symbols, colours and slogan), people, places and institutions that add to (or subtract from) customers knowledge of the brand. According to Keller (2008), the brand name encompasses the central theme or the relevant association of the product or service.

Brand names can be overt, implied, conceptual or iconoclastic (Clow and Baack 2018). Overt names reveal what the brand is to the consumer immediately it is exposed, for example, Ethiopian Airlines. When words or part of the words in a brand name convey what the brand does, it is implied, whereas conceptual names capture the brand's essence. An example of an implied brand name is GhanaPost, and that of the conceptual name is Twitter or Facebook. In politics, names must be easy to pronounce and suggest what the party represents and can do.

A logo takes the form of symbols, colours and slogan, and is one of the most significant elements in branding. The company's visual representation is a product or service that communicates a brand's identity and differentiation in a rapidly changing market. A political party symbol and colours represent the heritage, ownership, originality and possible associations for easy recall, identification and differentiation. The political slogan is a short phrase that communicates descriptive and persuasive information about the political offering. In Africa, political parties have deployed political logos in symbols, colours and slogans to a greater effect during elections. These marketing concepts have been applied to the management of political parties and candidates and policies.

Policy dissemination

The greater part of policy development, including policy needs identification and policy delivery, remained "internal" to the political organisations. Policy delivery, for example, was communicated during elections captured as an achievement of the political party that owned it. Recently, however, the entirety of policy, from need identification to delivery, is marketing oriented. Besides advertising, Townhall meetings, policy fairs, sector ministers press briefings and lecture series have become an integral part of policy and delivery communication processes in campaign and electioneering activities in Africa. Also, endorsements are increasingly being used. This is where attributes of certain personalities, both political and non-political, promote certain policies as noted in the concept of ethos framing, gain credibility and elicit approval among stakeholders.

Case studies in policy communication in emerging democracies

Ghana

In Ghana, varied approaches have been employed, including the delivery tracker's setup by the governing New Patriotic Party (NPP) in the 2020 elections and the green book by the National Democratic Congress (NDC) in the 2016 elections. While this is hardly new, the use of such techniques in Ghana demonstrates the extent to which new media is harnessed to induce enthusiasm and continued voter support. Ghanaian voters have become rational in taking political decisions due to innovative techniques in policy delivery of such communications (Kofi et al. 2019). Often, the communication shows the fulfilment of the brand promise in policy implementation to get political consumers to think of the party brand and aims according to politicians' preferences.

Since 2000, Ghanaian political parties have dedicated names to policies to distinguish themselves from the opposition. This assumption of brand status in Ghana reflects global

practices – e.g. “Obamacare” versus “Trumponomics” in the United States (Mensah 2009). The policy is managed alongside the candidate and the party as brands, just as commercial firms manage products and services according to a political brand architecture management framework (Mensah 2017). Therefore, individual policies are assigned peculiar names, unique logos, special colours and a dedicated means of communication, using “association cues” that reflect what is communicated and the target group. The NPP promoted their candidate, Nana Akufo Addo, in the 2016 elections as an incorruptible and staunch advocate of human rights. These two attributes were used to promote their anti-corruption and Free Senior High School (SHS) policies, which voters believed strongly that the party could deliver when allowed to govern. Accordingly, the candidate’s promoted characteristics gained credibility (ethos-self) and elicited a high approval rate among voters in the 2016 elections.

Mensah (2011) contends that Ghana’s policy communication has advanced with the conceptual PBM framework. In analysing the 2000 elections campaign in Ghana, the NPP framed its policy positions in the tradition of what Baer (1995) referred to as broadcast and narrowcast messaging. The former suggests that a political campaign strategy should begin with an overall theme representing the party’s core electoral stance. Other subthemes could be derived, which is the narrowcast. The latter consists of policies that target specialised electoral groups that matter to the campaign. Consequently, the NPP’s “Agenda for Positive Change” was couched in the 2000 elections as a broadcast message to reflect on the general mood of the people, where those who expressed active discontent were to be assured of good economic performance and good governance. This overarching message was further developed into five clear, narrowcast messages on policy initiatives (Mensah 2009).

In 2016, both NPP and the NDC applied a similar framing approach in managing policy communication. For example, creating the Office of the Special Prosecutor (OSP) to headline the NPP’s anti-corruption policies. In the application of framing using persuasive rhetorical devices of ethos, one of the most nationally known anti-corruption crusaders, Martin Alamisi Burnes Kaiser Amidu, was appointed as the First Special Prosecutor of the country despite coming from the opposition party to the NPP. As such, the transference of the attributes of the endorser, or a social model, in this case, Amidu, unto the policy in question. The appointment of Amidu also reflected an application of brand association cues in policy packaging to communicate strongly the NPP’s commitment to fighting corruption and differentiate its policy position from that of the NDC. The appointment was unanimously hailed by all stakeholders, with the policy gaining a high rate of acceptance among the electorates.

On the Free SHS policy, in 2008, the NPP proposed a free education policy and dubbed it “Free SHS.” In 2012, the NDC launched its free education version and called it “Progressive Free SHS” or PFSHS. In the 2016 elections, both parties presented these policies again and explained the differences in their versions. Here, valence framing was applied by both parties. The NDC argued that the NPP’s approach was bad for the country’s economy. Hence, their PFSHS targeted quality and access, hence their commitment to building school blocks to increase admission intake and progressively remove the fee-paying burden of parents. To NPP, free education was a matter of equity for all Ghanaians, and so their version did not have a period to remove fees, which they argue is hurting families, making the NDC’s approach the worst.

Thus, everyone will be entitled to free education immediately if elected. In packaging, the NPP’s Free SHS policy launched a logo symbol of an open book with animated students of two differing genders, male and female. The slogan read: access, equity, quality draped in red, gold and green national colours. Similarly, in the 2016 campaign, the NPP had brand

names, logos and distinctive colours reflective of the sector characteristics of the policies, such as one district one factory (1D1F) for their industrialisation and job creation policies; planting for food and jobs (PFJ) for their agricultural mechanisation and food sufficiency policy; one village one dam (1V1D) also for rural agricultural policy, the OSP to headline its anti-corruption policy.

In the 2020 elections, the NDC followed the practice of the PBM framing and packaging policies. They used endorses to launch the policies with dedicated brand names and logos to reflect the benefits inherent in them, such as Edwuma Pa (quality jobs), to headline their job creation policy. Kyem Pe (half payment) was also their half-tuition policy for continuing tertiary education students, Fa Ni hinaa (completely free) tuition for first-year students at tertiary education and the Big Push for infrastructural development policy. Whereas some of these policy brand names are overt, others are implied or conceptual. Therefore, whereas Free SHS is an overt brand name, Progressive Free SHS is a suggested brand name. Others such as 1D1F, PFJ, 1V1D are all overt policy brand names.

Conversely, these policy brands were conceptual as they depict or capture the essence of the policy brands but do not reveal explicitly what they are in the immediate instance of their exposure to the audience. Nevertheless, *Edwuma Pa* is implied. See Figures 13.2 and 13.3.

In policy dissemination, both parties promote their policies using the conventional modes, namely, press release, press conference, press launch and policy statement. Also, the new forms of dissemination, including advertising, policy fair, social media and street canvassing with pledge cards, have been used. Besides the emergence of policy fair, social media and street canvassing in disseminating public policy in Ghana, which is unique. See Figure 13.4.



Figure 13.2 A bouquet of NDC policies on display at a conference

Source: The NDC Party: <https://www.facebook.com/OfficialNDCGhana/photos/3334647013294411/> [accessed on 20/01/2021].

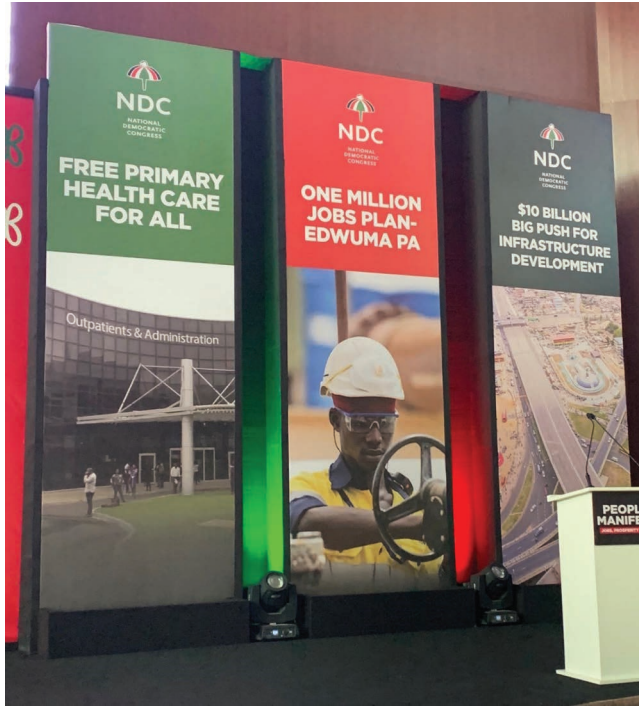


Figure 13.3 A bouquet of NDC policies on display

Source: The NDC Party: <https://www.facebook.com/OfficialNDCGhana/photos/333464701329441/> [accessed on 20/01/2021].



Figure 13.4 A sample of policy dissemination using street canvassing in Ghana

Source: The NDC Party: <https://www.facebook.com/ndccommnbureau/photos/2547681892190658/> [accessed on 20/01/2021].

The national policy fair is a government-initiated programme that is organised yearly to showcase government programmes and delivery. Policy fair is like the conventional trade fair, food fair and book fair, which are private sector, market-driven events opened to business and the public to showcase new products, services and ideas, creating a market environment for suppliers and customers. A policy fair focuses on what the government Ministries, Departments and Agencies are doing regarding public policy. It provides one-stop access for people to interact freely with Ministers of State, CEOs and other officials to offer suggestions, seek information, clarify policy issues and better understand policy and projects initiatives (myjoyonline.com 2012).

Increasingly, social media has become a business tool to engage the target audience of institutions. In Ghana, many political institutions have dedicated social media platforms to disseminate information on their programmes, policy intentions and delivery. These communications come in different contents, especially text, photos and videos. There is also a clear administrative structure of dissemination, which involves the official platform account of the entity responsible for disseminating the policy and an army of the party and/or government communicators and influencers who act as “digital canvassers.” They distribute these contents by liking, sharing and commenting on them to enhance engagement and the message to go viral, especially on Twitter, before finding their way to traditional media as “trending news” and creating a sense of public acceptance.

Nigeria

In a content analysis of political advertisements of Nigeria’s 2015 general election, Batta et al. (2015) found that political ads in Nigeria bordered on three key themes: *character*, *non-issue-based* and *issue-based*. Of these, the most featured were non-issue-based theme, followed by character and issue-based. They analysed 610 political advertisements from 240 newspaper issues relating to the 2015 general elections spanning from January to March 2015 in two newspapers with nationwide readership, *The Guardian* and *The Punch*. They found *The Guardian* newspaper as one that “panders to elitism” and *The Punch* “leans toward populism.” Both papers are read nationwide. Their study showed that “63% of the ads dealt with non-issues,” which they described as “neutral (celebratory) messages, personal attack ads, religious, ethnic and sectional sentiments and violent/hate messages.” Character themes discussed the candidate’s perceived qualities related to personal qualities, leadership abilities, values or principles (p. 28).

On issue-based themes framing formed nearly 37% of the political ads, they defined policy-themed advertisements as “those that discuss actions or ideas related to past deeds, plans and general goals on social, economic, political, cultural subject matters affecting Nigeria to which the political advertisers sought genuine solutions,” like “poverty, infrastructure deficit, unemployment, performance achievement, education, corruption, economy, electoral reform etc.” (Batta et al. 2015, p. 86). Some examples of the issue-based ad were cited as “The Abuja-Kaduna railway line: changing the face of the Nigerian economy,” which was sponsored by the People’s Democratic Party (PDP) in *The Punch*, June 22, 2015. Another one by the same party read “Maternal mortality in Nigeria under Jonathan reduced by 30%” – *Sunday Guardian*, March 22, 2015. Others include “Education is key in building a modern society,” “Generate, transmit, distribute electricity on a 24/7 basis while simultaneously ensuring the development of sustainable renewable energy.” Also, in a content analysis study by Obot (2017), of 124 political advertisements in 96 issues of *The Guardian*, *The Nation* and *The Punch* for the period of December 2010 to January 2011 showed that

54 of the 124 political ads, forming 44%, were determined as policy-themed ads. These ads were sponsored by four political parties, namely, the Action Congress of Nigeria (ACN), All Nigeria People's Party (ANPP), the Congress for Progressive Change (CPC) and the PDP.

The Abuja-Kaduna railway ad is an example of a delivery policy to showcase performance to the target audience. It applies valence framing to extend the "benefit" of the railway line beyond its immediate boundaries to cover entire Nigeria. As Entman (1993) contends, "to frame is to select some aspects of perceived reality and make them more salient in the communicating text." Raji (2020)'s evaluation of the impact of the Abuja-Kaduna railway line noted an increase in service by 35% since the operation of the Abuja-Kaduna railway infrastructure in 2016. They have attracted small-scale commercial activities besides upgrading the commercial structure of the immediate users' economies, thereby impacting the beneficial states' economic growth. This is undoubtedly contrary to the bold claims of a nationwide impact that the ad seeks to make.

Another policy delivery ad that applies valence framing is "Maternal mortality in Nigeria under President Jonathan reduced by 30%" – *Sunday Guardian*, March 22, 2015. What the ad fails to communicate is from what percentage was the 30% reduction and within what period? The ad also fails to highlight other sets of information that could facilitate the audience's judgement on budgetary efficiency in evaluating the policy that resulted in the reduction. This ad deliberately selects and focuses on perhaps the best part of the policy outcome and makes it more salient.

The concept of *broadcast* and *narrowcast* framing was also applied to an ad of the PDP party in Edo State in Nigeria. The flyer ad features the image of the governor of the State with a bold inscription of "EDO FIRST." The same campaign has another broadcast message of "Making Edo Great Again" (MEGA). These broadcast messages are divided into a series of narrowcast messages of policy reforms, including education reforms and civil service reforms etc. The MEGA broadcast message, depicted in coloured, bold, capitalised writings, appears highly visible on top of all the narrowcast messaging flyers dedicated to various State sectors, including education, civil service, health and employment.

On policy packaging, literature shows how slogans and symbols have been used to promote Nigerian policies (Batta, Batta and Mboho 2015; Obot 2017; Akinola 2017; Igwe et al. 2020). Although many of them are not from conventional research literature from newspaper features, their critical insight cannot be ignored. Notably, slogans and symbols are effective tools in marketing to attract and retain attention and generate recall among the target audience using iconic, identifiable and relatable catchphrases. Also, in the 2019 Nigerian elections, slogans such as "O to ge" (meaning "Enough Is Enough") was by far the most potent political mantra. Adopted by the APC in Kwara State as its campaign catchphrase, the slogan is believed to have contributed to the major fall of the PDP party in that State (Oladeinde Olawoyin, 3 March 2019).

Another popular slogan was 4 plus 4. While "O to ge" is a campaign slogan rendered by words of mouth, the "4 plus 4" is a non-verbal use of sign language. It was to convey the desire to support President Muhammadu Buhari's re-election bid in 2019. The sign was done by spreading one's two hands apart, with all of one's fingers but the thumb raised while displaying both hands. The two separate four fingers displayed conspicuously represent each of the four-year periods of the Nigerian constitution's two terms stipulation for the president. The 4 plus 4 campaign sign goes hand in hand with the chant of "NextLevel," a theme for the party's manifesto launched in November 2018. The 4 plus 4 and NextLevel was a broadcast message among Mr Buhari's supporters. The brand name NextLevel connotes elevation and signals that Buhari's administration had laid some groundworks and was ready to build on its

first-term successes. This campaign slogan was actively promoted on social media platforms – Twitter and Facebook. The “4 plus 4” slogan got an impetus when Buhari addressed at the national assembly and waved the sign. He put up his two hands with four fingers each in response to cheers from ruling party lawmakers (Oladeinde Olowoyin, 3 March 2019).

Also, a selection of campaign flyers from the social media platforms of political parties and candidates in Nigeria shows substantial policy brand names, slogans and endorsements in policy communication. One of the ads, a Nigerian Government Enterprise and Empowerment Programme that seeks to offer financial assistance to the target groups has been named GEEP, the policy name’s acronym. The policy’s target groups are farmers, markets and traders conspicuously demarcated with colour codes. The share of each group noted in a step-up object indicates the amount of money given out. This attempt to simplify the communication of a delivered policy using colours, symbols and acronym in one visual that the communication audience could easily understand. The Nigeria Youth Investment Fund policy ad, just as the Free SHS example in Ghana, has a dedicated logo made up of a brand name, NYIF. This is an acronym of the policy name, the map of Nigeria as a symbol with an animated version of the youth as endorsers and a slogan that reads “building Nigeria’s future.” The flyer also has contact lines and sponsorship institutions, being the Central Bank of Nigeria and the Federal Ministry of Youth and Sports Development.

However, Twitter and Facebook are sparsely used by political parties in Nigeria, unlike Ghana, where it has become one of the most relied upon channels. Again, unlike Ghana, none of the literature reviewed on Nigeria looked at television and radio ads due to our geographical limitations and their absence online or on the social media pages of the political parties reviewed. Nevertheless, Nigerian political parties significantly use newspaper ads. In a blog post on political ad spend by Princewill Ekwujuru on *odogwublog.com* (2015), the 2015 elections saw an amount close to “N4.9 billion by political parties, friends and well-wishers of those seeking elective offices.” The print media, Ekwujuru notes, raked in about N1.382 billion of the ad spent. Both parties also spent N224.36 million on outdoor campaigns. The broadcast campaign coverage for the presidential candidates was at N508.35 million and N391.05 million for PDP and APC.

Kenya

In Kenya, policy communication manifests in the broader scheme of political advertising in newspapers and billboards across the country (e.g. Ndavula 2015; Ndavula and Mueni 2014; Owino et al., 2008). Besides the televised presidential debates where political party candidates articulate their policy positions, ideas, programmes and achievements, the new media is used by political parties as tools for political advertising. This is due to its effectiveness in targeting youthful voters’ cost-efficiency. Ndavula (2015) showed that most politicians (87.3%) used social media during their election campaign in the 2013 general elections, and about 62% of them using it to share policy position. Politicians have also used social media in an earlier election of 2007 (Ndavula and Mueni 2014).

In his address, President Uhuru Kenyatta applied Baer’s broadcast and narrowcast approaches in policy framing. Their broadcast message of Transforming Kenya was invoked through the narrowcast messages of land reforms, ethnic cohabitation, modernisation of the security forces, child empowerment through the laptop for every child programme, etc. (Ndavula and Mueni 2014). The Jubilee Party’s social media pages show several policy leaflets titled *Building Bridges Initiative* (BBI). Each leaflet contains one key policy proposal or delivery: corruption, inclusion, safety and security, county funding, etc., highlighted in key

bullet points for easy consumption and referencing. Kenyatta's social media pages, according to Ndavula and Mueni (2014), also hosted a video of what a Jubilee Government would do in the first 100 days, with the slogan "Kusema na kutenda" (doing what we say) being mentioned several times in the videos and the posts. The only female presidential candidate, Martha Karua, presented herself as the reformer. With slogans such as "equitable distribution of resources" and "youth empowerment and job creation," she applied valence framing to her socio-economic policies as inclusive. These images yielded substantial social media engagement and benefited her campaign (Ndavula and Mueni 2014).

In line with the Ghana and Nigeria examples, the narrowcast messages, like inclusivity, safety and security, in Kenya are also headlined by the broadcast message, the *Building Bridges Initiative* with the acronym BBI. Similarly, policy packaging is in line with the examples of Ghana and Nigeria despite the differences in execution. The application of colours highlighted a checklist of policy contents for easy consumption, and dedicated communication text for each policy proposals is in line with the other countries cases.

Kenyan political parties have also used social media predominantly to disseminate policies. Ndavula and Mueni (2014) note that Uhuru Kenyatta had actively used social media to promote his party's broadcast message of Transforming Kenya in the 2007 elections. This was in sync with the narrowcast messages of land and ethnicity featured in social media conversations as key policy issues in that election. According to Ndavula and Mueni, an elections sentiment tracker showed that the Jubilee Coalition presidential candidate Uhuru Kenyatta once again drew the largest number of social media conversations about the narrowcast messages of land and ethnicity in February 2013. Kenyatta's statements on land generated 5311 comments on social media within a month – ending mid-February of that year.

The Jubilee Coalition sent messages about their campaign manifesto on Facebook. Messages on security, solar-powered laptops for school children in Kenya, which ties in with the broadcast message of "JUBILEE works for you..." were posted on social media. Facebook provided a chance to elaborate messages on these campaign issues. For instance, Uhuru Kenyatta made the following posts on security: "The Jubilee Government will equip and modernise the security forces, especially through increased motorisation, which will dramatically enhance the ability to tackle crime in a more efficient and focused manner" (Twitter, 2-3/11/2020). There was also the use of multi-media channels to spread campaign messages. In one post, Uhuru encouraged supporters to find an audio link to what the Jubilee Government will do in its first 100 days in office. They were encouraged to download it, use it as ringtones and share it widely (Twitter, 19/02/2013). Findings indicate that new media play a crucial role in political advertising. The study reveals that new media have increasingly gained significance in carrying out political advertising. The interactive capabilities offered by new media give the politicians and the electorate a forum to chat and create relationships. Examples include the "Raila TV platform" and "Martha Karua's Thursday question and answer forums" (Ndavula and Mueni 2014, p. 81).

Conclusion

Policy branding has become inevitable in democracies where voters have increasingly become punitive and rational in their voting choices. This chapter affirms the argument that policy has assumed brand status. Thus, it is being managed similarly to corporate brands. The approaches deployed for policy communication by leading political parties in emerging democracies reflect the thinking of the PBM framework discussed earlier in this chapter. However, the larger point is the utilisation of these core principles engages and asserts that a

party's product line includes the candidate and policies. So policy management cannot be left to chance. It is, therefore, appropriate to conclude that political elites are employing innovative ways to exceptionally position policies to reinforce the overall political brand experience of the party, the policy and the leader. We demonstrated that policy framing, packaging and dissemination are key to pitching specific policies in the minds of political consumers to avoid delivery impediments. The policy communication activities of the cases are consistent with the policy brand framework. Different policy framing approaches are valuable and can forge a positive relationship with political consumers. However, while political parties in Africa have demonstrated the effective application of the PBM framework, the intensity of new media for policy dissemination varies.

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POLICY EVALUATION IN AFRICA

Emmanuel Remi Aiyede and Maryam Omolara Quadri

Introduction

Policymakers concerned about achieving desired policy outcomes usually pay attention to assessing policies and programmes as they seek to determine which works. Such policymakers may also be interested in identifying which programmes work and provide the best value for money. Thus, evaluation is essential to policy implementation improvement and success. Successful policymaking involves the active engagement of stakeholders to harness their views and get them to play roles required for policy success. This calls for policy dialogue, participation in policy monitoring, and evidence to support the policy process. Policy engagement is essential to achieve political feasibility. Thus, evaluation is at the heart of linking scientific analysis to policy formulation and outcome.

Although evidence is essential for policy success, generating evidence and using it in the policy process are complex and tedious, and several factors affect policy choices. Hence, the knowledge and insights generated from policy research and analysis compete with other factors in the decision-making process. Politicians have to respond to their constituencies, and demands of political competition may reduce commitment to adopting or implementing the best option in decision-making. Thus, the need to continuously study linkages between the policy analysis and the use of such analysis in the policy process (Henning and Badiane 2018, p. 343).

As illustrated by different chapters in this volume, one of the many challenges in Africa is the limited use of evidence in policymaking. This has often been identified as a major factor in policy failures, persistent poverty, and poor resource use. The evaluation of policies has usually been previously done or sponsored by donors. However, in recent times, as happened elsewhere in the developing world, policy evaluation is experiencing an uptake. Several factors account for this development. These include the renewed interest in issues of accountability and inclusivity in policymaking. More participatory policy processes at the continental, regional, and national levels would improve coordination, mutual learning, and the adoption of best practices, resulting in improved policy planning and execution and better growth and poverty reduction outcomes.

Evaluation is central to evidence generation and use. It is essential to incorporate knowledge into the political decision-making process and achieve active stakeholder participation

to increase politicians' incentives to select the most efficient policies and address the capacity gaps in policy learning (Ball 1995). In many African countries, policy evaluation on a national scale is beginning to take root. Therefore, this chapter is answering some of the following questions:

- a What is policy evaluation?
- b To what extent is the absence of national policy evaluation implicated in Africa's policy failures?
- c What are the predominant types of policy evaluation gaining traction in Africa?
- d What factors account for the increasing adoption of policy evaluation among national governments?
- e What has been the impact of the introduction of national policy evaluation systems? What lessons have been learnt, and how can evaluation systems be made more effective and efficient.

In general, we examine the idea and essence of policy evaluation, then explore the types and methods of policy evaluation, followed by exploring the policy evaluation situation in Africa.

Policy evaluation and its characteristics

The evaluation is defined in many ways. Imas and Rist (2009, p. 8) observe that the term has come to have various meanings within the evaluation discipline. Differences in definitions reflect a differing emphasis on the purpose of evaluation—accountability versus learning—or the timing of evaluation concerning the program's maturity, project, or policy. According to them, most evaluation definitions include making a judgement of the value or worth of the subject of the evaluation.

Evaluations are “periodic, objective assessments of a planned, ongoing, or completed project, program, or policy”. Evaluations are used selectively to answer specific questions related to design, implementation, and results (Gertler et al. 2016, p. 7). It is a process of determining the merit, worth, and value of things, and evaluations are the products of that process (Johnson and Dick 2012, p. 97). The OECD DAC (1991) defines evaluation as the systematic, objective, and impartial performance assessment about the efficiency, effectiveness, and merit of policy or programmes. It is further defined as “an assessment of planned, ongoing or completed intervention to determine its relevance, efficiency, effectiveness, impact and sustainability” (Valadez and Bamberger 1994). The importance of this definition is that evaluation is not just concerned about the impact. It is also about the sustainability of policy or any intervention.

Evaluation enables learning about the consequences of public policy (Dye 1984). The evaluation provides a credible way of demonstrating government effort transparently and consistently, including how public resources were used and what informed the prioritisation in allocating public resources. The processes and outcomes of evaluations can be seen as interactive constructs of meaning defined by evaluators and evaluatees alike. The central characteristics of evaluation are as follows:

- The objectives of evaluation evolve along with the process of evaluating the process of change.
- The evaluation aims to generate integral knowledge and communicate it to create a broader understanding of the object.

- Evaluation is messy.
- Evaluation results entail multiple processes, including negotiations and communication.
- The object of an evaluation is specific to time and place, as it is constantly evolving.
- Evaluation is formative, and its purpose is to improve and make participants aware of its goals and developments.
- The outcome of an evaluation process ought to be relevant, acceptable, and understandable.
- Starting points of evaluation include implicit or explicit theoretical notions of goals, effects, processes, and so on.
- A mix of research strategies, methods, and techniques (qualitative and quantitative) can be used in evaluation (Rannisto and Saloranta 2019, p. 192).

Given the above, *Independence*, *Credibility*, and *Utility* are three principles that are central to evaluation. These principles are markers of high-quality evaluation and ensure good practice in evaluation (Heider 2011). Independence forms the bedrock of good evaluation practice. It is fundamental to the credibility and utility of evaluation. It should lead to impartiality, reflected in, for instance, the choice of subjects of evaluation and the evaluation method. Independence is achieved at the structural, institutional, and individual levels.

Although independence enhances the credibility of evaluation, the competence of evaluators, the transparency of the evaluation process, and the impartiality of evaluators are central to the credibility of the process. However, Imas and Rist (2009) argue that technical soundness is a cornerstone for credibility but does not guarantee use.

The utility of evaluation is not guaranteed by independence and credibility. The utility requires that commissioners and evaluators undertake the evaluation to use its results. They undertake the evaluation when the results can meaningfully inform decision-making processes and make evaluations accessible. Evaluations are conducted to influence change that enables governments and organisations to achieve their objectives and achieve them better (Heider 2011, pp. 86–7). Cousins and Leithwood (1986, p. 359) also identified some factors influencing decision-makers' evaluation results. These include evaluation quality, credibility, relevance, communication, the findings themselves, the timeliness of evaluations for users, information needs of users, decision characteristics, political climate, competing information, personal characteristics of users, and user commitment and receptiveness to users evaluation information.

These three principles of the evaluation function within three levels: (1) *an enabling environment* (culture of accountability and learning, government legislation, or evaluation policy); (2) *institutional framework* (the institutionalised process of peer review to assess independence, credibility, and utility of the evaluation function); (3) *individual* (ethics guidelines and code of conduct) (Heider 2011). Evaluation of public policies and programs must be embedded in the political process. Both technical and political dimensions of evaluation need to be considered for a meaningful evaluation process.

The essence of policy evaluation

As Howlett, Ramesh and Perl (2009, p. 178) observe, the impact of policy evaluation on the formulation, implementation and accountability of government cannot be over-emphasised since every government wants policy success. Ineffective policies or policies failures can reduce the trust citizens repose in the government. The erosion of trust may, in turn, trigger a breakdown or the disintegration of the state.

Dye (1987, p. 351) describes policy evaluation as the “objective, systematic, empirical examination of the effects of ongoing policies and public programmes on their targets in terms of the goals they are meant to achieve”. Evaluation can be a tool for generating performance information to enhance accountability and ‘control by results’ and provide evidence of what works to inform policy learning and performance (Sanderson 2002). Evaluation has been seen as a route to strengthening effectiveness, efficiency and impact, and accountability of government policies and programmes (DPME 2011 cited in Goldman 2018). Evaluation reveals whether set goals are achieved or not achieved and what needs to be corrected. Evaluation thus can provide credible evidence on performance on whether a particular government programme has achieved its desired objectives.

Adolino and Blake (2001, pp. 26–7) think that the potential criteria for evaluation are diverse. Sometimes evaluations focus primarily on the nature of policy outputs—the government’s resources to address a problem. Others focus on policy outcomes, that is, examining whether government action has produced desired objectives. Evaluation can also focus on policy efficiency, asking whether current policies constitute money well spent. The essence of evaluating is to assess the extent to which a public policy successfully achieves identified objectives (Quadri 2020). Evaluation is always connected to some purpose or objective. Without this, it is often difficult to see the difference between a success and a failure in complex situations and environments. Successes and failures can be difficult to relay without the information provided by an evaluation process (Rannisto and Saloranta 2019, p. 191). Evaluation, therefore, provides the pathway to determine whether any government is achieving its declared or stated objectives through policy and programmes.

In a globalised environment, policy evaluation is dictated by evidence to drive the policy process. The need for evidence is dictated by the unparalleled and rapid transformation that characterised the globalised era with its risks and reach. For instance, there are high demands for evidence in the documentation and discussions of the determinants, nature, magnitude and distribution of health challenges (Frenk et al. 2017, p. 17). The massive collaboration among scientists, policymakers, governments and international organisations worldwide in dealing with the COVID-19 pandemic demonstrates this.

Policy evaluation is rarely undertaken for its own sake. It is conducted in connection to the policy cycle, supporting policymaking, policy development, and policy decision-making. Policy evaluation is increasingly undertaken by policy actors, be they governmental and nongovernmental, interested in shaping the political agenda across Africa. Therefore, evaluators must consider the importance of policy evaluation’s technical and political dimensions to its understanding and execution. Policy evaluation is both a technical and political process.

Policy evaluation takes place in various sectors, including health, education and agriculture. It may occur at the programme/project level, at the national, continental and global levels. In general, evaluations are done to support accountability, including providing information to the public, and supporting learning through generating and feeding back findings and lessons (OECD 2019). The purpose of evaluation includes the followings:

- Help analyse why intended results were or were not achieved.
- Explore why there may have been unintended results or consequences.
- Assess how and why results were affected by specific activities.
- Shed light on implementation processes, failures, or successes that occur at any level.
- Help provide lessons, highlight areas of accomplishment and potential, and offer specific recommendations for improvement and reform (Imas and Rist 2009, p. 14).

Ultimately, the purpose of any evaluation is to provide information to decision-makers to enable them to make better and informed decisions about projects, programmes, and policies of the government. In summary, policy evaluation can be used along the entire chain of the policy process to:

- Explain policy development.
- Document and inform implementation.
- Assess support and compliance with existing policies.
- Demonstrate the impact and value of a policy.
- Provide an evidence base for policy,
- Generate knowledge about what works and what does not work to inform future policies.
- Provide accountability for resources invested in the design and implementation of the policy.

Types of policy evaluation

Fundamental to policy evaluation is its impact on effecting policy changes, especially those failing to achieve prescribed objectives. Evaluation is often located within the 'final' stage of the policy cycle, which is critical because frequently new activities and new rounds of policymaking result from, or follows, the output of evaluative processes (Howlett, Ramesh and Perl 2009). However, evaluation can occur at every stage of the policy process. As Pressman and Wildavsky (1984, p. xvi) put it, "all the stages of analysis from design to implementation to termination, become the evaluator's preserve". A basic assumption of policy evaluation, Hanberger (2001) argues, is that changes generally occur throughout the policy process.

Evaluation is an integral part of each step in the policy process. Evaluation analysis has several main approaches or techniques. Parsons (1995, p. 546) suggests that we may understand the role of evaluation techniques by relating the policy cycle to the information cycle. In the agenda-setting and problem definition phases, evaluation research aids in defining the size and distribution of a problem, the forecasting of needs, and the definition of target groups and areas. Similarly, the policy design phase involves decision analysis techniques to identify alternative means of achieving the programme ends to achieve a cost-effective alternative.

An evaluation can also provide information on the process of implementing a programme to identify lessons learned during the program implementation phase and subsequent evaluation (Imas and Rist 2009). The 'policy legitimization' stage involves a political evaluation of the public or stakeholders' acceptance of a policy or programme. According to Howlett, Ramesh and Perl (2009, p. 185), several distinct types of evaluation activities result in several distinct policy analysis and evaluation types. Generally, policy evaluation can be classified into three broad categories – *administrative evaluation*, *judicial evaluation*, and *political evaluation* – which differ in how they are conducted, the actors involved, and their effects.

Administrative evaluation

Administrative evaluation is usually undertaken within a government, occasionally by specialist agencies whose only task is to evaluate policies. It ensures that policies accomplish their expected goals at the least possible cost and with the least possible burden on individual citizens. Administrative evaluation requires collecting precise information (evidence) on program delivery and its compilation in a standardised fashion to compare costs and outcomes over time and across policy actors.

Judicial evaluation

Judicial evaluation is concerned with issues relating to how government programmes are implemented. Such evaluations are carried out by the judiciary and are concerned with possible conflicts between government actions and constitutional provisions or established standards of administrative conduct and individual rights.

Political evaluation

Everyone undertaking political evaluation has an interest in political life. They are usually neither systematic nor technically sophisticated. Many are inherently partisan, one-sided, and biased. Partisan political evaluation often simply attempts to label a policy a success or failure, followed by demands for continuation or change (Howlett, Ramesh and Perl 2009, pp. 185–90).

At the basic level, evaluations are classified as either formative, summative or prospective types.

A *formative evaluation*, also known as ‘ongoing evaluation’, looks into how a program, policy, or project is implemented. It examines whether or not the assumed ‘operational logic’ corresponds with actual operations and identifies the (immediate) consequences the implementation (stages) produces. This type of evaluation is conducted during the implementation phase of a project or program. Formative evaluations are sometimes called *process evaluations* because they focus on operations (Imas and Rist 2009, p. 9). According to Wollmann (2005), the strategic importance of the ongoing/formative evaluation exactly lies in its ‘cybernetic’ function of reporting and ‘feeding back’. To the political and administrative actors concerned policy and implementation-relevant information in period and at a point of time when such information can still be used to adjust, correct, or redirect the implementation process or even underlying key policy decisions.

A *summative evaluation* is often called an outcome or impact evaluation at the end of an intervention or a mature intervention. This is to determine the extent to which anticipated results were realised or, according to Parsons (1995), seeking to measure how the policy/programme has impacted problems to which it was addressed. Summative evaluation is intended to provide information about the worth and impact of the program. Summative evaluations include impact evaluations, cost-effectiveness investigations, quasi-experiments, randomised experiments, and case studies (Imas and Rist, 2009).

A *prospective evaluation* assesses the likely outcomes of proposed projects, programmes, or policies. It is somewhat similar to an evaluability assessment. An evaluability assessment answers the questions: “Is this program or project worth evaluating?” and “Will the gains be worth the effort/resources expended?”. Prospective evaluation synthesises evaluation findings from earlier studies to assess the likely outcomes of proposed new projects, programs, or policies (Imas and Rist 2009, p. 10).

Systematic evaluation

Anderson (2011) identifies systematic evaluation as one type of evaluation increasing attention in the national government in recent decades. Systematic evaluation employs social science methodology to measure the societal effects of policies or programmes and the extent to which they are achieving their goals or objectives. The systematic evaluation seeks information on the impact of a policy or programme on the public need or problem at which

it is directed. It involves the specification of goals or objectives, collecting information and data on program inputs, outputs, consequences, and rigorous analysis, preferably through quantitative or statistical techniques (Anderson 2011, p. 278).

From the viewpoint of the policy process, three types of evaluation can be identified. The first is *evaluating policy content* to determine whether the content clearly articulates the policy's goals, implementation, and underlying logic for which the policy is expected to produce intended change. It facilitates an understanding of the context, content, and implementation of the policy. The second is the *evaluation of policy implementation*. The goal is to achieve implementation effectiveness, and provide important information about the barriers to and facilitators of implementation. It also compares different components or intensities of implementation across contexts and programmes. The third type of policy evaluation is *policy impact evaluation* which seeks to determine if the policy has (or will) produced the intended outcomes and impact (Brownson et al. 2009).

Methods of policy evaluation

According to Anderson (2011, pp. 287–91), determining whether a policy or program is doing what it is supposed to do or doing something else is not an easy, straightforward task. A variety of conditions raise obstacles for the effective accomplishment of policy evaluation. Some of those conditions are:

- Uncertainty over policy goals
- Difficulty in determining causality
- Diffuse policy impacts
- Difficulties in data acquisition
- Official resistance
- A limited time perspective
- Evaluation lacks influence

Many African countries are constrained by some of these factors, limiting their efforts to engage in meaningful policy evaluation. Furthermore, many African countries adopt evaluation criteria and designs of the industrialised countries without questioning. Contexts determine what is feasible in certain circumstances. As Mbava and Dahler-Larsen (2019) rightly observe, simple adoption of evaluation practices from highly industrialised countries poses limitations. It is 'unsuitable in non-Western cultural contexts where different principles and practices prevail'.

Policy evaluators employ scientific research methodologies to answer evaluation questions. The depth and rigour of an evaluation depend on those initiating and undertaking it and the purpose it is meant to serve. Evaluators employ both quantitative and qualitative methods in evaluation. The notion of causality is of interest to policy evaluation, especially in estimating the impact of a policy programme/project. Much innovation has occurred in combining qualitative and quantitative methods to establish the impact of particular policies. Imas and Rist (2009) identify three broad types of questions addressed by evaluation: These are (1) descriptive questions concerned with the what of policies, that is, processes, conditions, organisational relationships, and stakeholder views; (2) normative questions concerned with what should be taking place concerning what is taking place, whether or not targets are being achieved; and (3) cause-and-effect questions focuses on attribution, what difference the intervention makes to outcomes.

These questions require different approaches or a combination of approaches. Gertler et al. (2016) emphasise the importance of administrative data derived from monitoring programme implementation as important to policy evaluation. Such data are vital to cost-benefit analysis, cost-effectiveness analysis, and Ex-ante simulations to the expected effects of a programme or policy reform on outcomes of interest. In many policy evaluations, simulation is used to assess/predict a change in policy or intervention if the intervention is to be implemented. The experimental method is an alternative to using simulation methods. In the latter case, a new policy is either partially (for a subgroup of the population) or fully implemented before analysis can take place. In this approach, data need to be collected just before and after the change, and there is a need to control for other changes occurring within the same time frame to assess the policy change accurately (Kalb 2009).

The mixed methods approach combines quantitative and qualitative data, transforms data from one form to the other, or supplements one form of data with another to strengthen impact evaluation. Quantitative data can generate hypotheses and focus on research questions before quantitative data are collected. Qualitative data may be used in combination with quantitative data to provide perspectives and insights on a programme's performance during and after the programme has been implemented (Gertler et al. 2016). Thus, policy evaluation is multimethod in orientation and employs various methods and methodologies, depending on the goals, commitment and resources available for the evaluation. The methods employed have different data requirements. They have different underlying assumptions; some methods require stronger assumptions than others to precisely estimate the changes in outcomes caused by an intervention. After evaluation, the government decides whether a policy should continue or be modified. A comprehensive evaluation procedure is essential in determining the effectiveness of the implemented policy and providing the basis for future decision-making (Young and Quinn 2002).

National Evaluation Systems: the state of policy evaluation in Africa

As noted earlier, policy evaluation happens at various levels. In recent times, National Evaluation Policies (NEPs) have gradually taken root in developing countries. In Africa, countries have developed such policies and established National Evaluation Systems (NESs) to implement the policies. Hojlund (2015, p. 43) defines the National Evaluation Policy as “a systematic and institutionalized Monitoring and evaluation framework in several interdependent organisational entities to inform decision-making and secure oversight function”. NEPs should improve the performance of the public sector. It seeks to strengthen the operations of the public sector by providing timely and coordinated information on the implementation and results of national strategies, policies, and programmes. Like all evaluation initiatives, the NEPs provide governments with the data to inform budget allocation and plan decision-making. It enhances accountability, efficiency, effectiveness, and equity in development management (Chirau et al. 2018).

According to the UNEG, the development of the NES depends on four factors: the vision of leadership within the country, the existence of an enabling environment for an M&E system to develop and function, the capacity to supply M&E information – the technical capacity to measure performance and provide credible information in a timely way, and the capacity within the system to demand and use M&E information – key users being government institutions, ministries, citizens, the media, other stakeholders, and civil society and donors.

Until 2007 when the Republic of Benin instituted the NEP, evaluations in African states were instigated by donors. Since then, the number of countries with evaluation systems has

increased. Uganda and South Africa developed their NESs in 2011, Rwanda in 2015, and Zambia in 2019. African countries have their national planning commission upgrade their monitoring and evaluation systems. The *Twende Mbele* programme of the Centre for Learning on Evaluation and Results-Anglophone Africa (CLEAR-AA) has been a significant force in promoting NESs and building evaluation capacity across the continent. The number of national institutions participating in *Twende Mbele* activities has risen to over 52 across Uganda, South Africa, Benin, Ghana, Kenya, Niger, Nigeria, Botswana, Zambia, Tanzania, Sudan, Senegal, Côte d'Ivoire, Lesotho, and Zimbabwe. Adopting a peer learning strategy has widened NESs to include legislators, deepening debates around the professionalisation of evaluation (Smith and Morkel 2018).

Several factors influence the uptake in evaluation policy in Africa. These include the desire by African countries *to control the selection and conduct of evaluations from donor agencies* who have been the primary financiers. Therefore, they determined the programmes to be evaluated, the methodologies to be employed, and the use and dissemination of evaluations. Another factor is the need to *strengthen the evaluation capacity* of national agencies to design, implement, analyse, disseminate, and use evaluations. The development of NES also derived from the need to integrate evaluation into the budget cycle. Others include the need to develop uniform systems for the selection and conduct of evaluations; strengthening and integrating cross-sectoral planning; promoting public accountability and transparency; and using modern information technology to provide the public with information on public sector performance and improve the performance and efficiency of the public sector, strengthening the results of the framework by building a strong M&E system to monitor and evaluate the progress of the indicators and ensure standardised measurement across sectors (see Bamberger et al. 2015).

In Africa, evaluation has been increasing, a trend predicted to continue, especially with political recognition of the utility of evaluation to good governance (Basheka and Byamugisha 2015). Many African countries have come to appreciate the value of evaluation in enhancing the efficiency and effectiveness of government policies and public sector service delivery. Evaluation results from the review of programmes, and government policies have continued to assist the government in identifying problem areas of programmes implementation, improving government effectiveness and impact, and providing practical insight for further interventions.

Most countries have developed their NESs and NEP. Among these are Benin, Uganda, South Africa, Kenya, Nigeria, and Zimbabwe (see Goldman et al. 2018). The NEPs provide a normative framework, while NESs build the mechanisms that operationalise the principles dictated in the policy (Chirau et al. 2018). This is geared towards improving efficiency and effectiveness in policies and development programme implementation and accountability. However, Rist (2004) observes that we are in a new period where accelerating political and organisational demands reframe our thinking about the definition of what, fundamentally, constitutes evaluation and what we understand as its applications. According to Rist, at least two important considerations characterise this period.

The first is the emergence of an increasingly global set of pressures for governments to perform effectively—to go beyond efficiency concerns—and to demonstrate that their performance is producing desired results. The second is the spread of information technology, which allows enormous quantities of information to be stored, sorted, analysed, and made available at little or no cost.... The issue is no longer the lack of evidence for instrumental use by those in positions of power who could make a difference. Rather, users of evaluative knowledge are now confronted with growing rivers of information and analysis systematically collected through carefully built monitoring systems... (Rist 2004, p. 5).

This observation implies that evaluation has become very central to measuring government performance. Evaluation results will continue to determine the extent to which governments are responsible to the citizens through effective and efficient programmes and policies that impact the lives of those citizens.

In a study of five African countries, Ghana, Kenya, Rwanda, Uganda, and Zambia, CLEAR-AA (2019, p. 1) noted that governments had prioritised monitoring and evaluation systems based on results-based management principles. The report also observed that monitoring systems are more advanced than evaluation in those countries because legislation requires ministries, departments, and agencies to report on performance periodically. It noted further that monitoring and evaluation systems are influenced by national context, state architecture, values, culture, financial resources, human capacities, and ideological priorities. The report notes that collaboration on evaluations and research between government, civil society organisations, and academia is limited because various stakeholders work in silos, governance mechanisms for data processes are inadequate and cannot adequately support monitoring and evaluation efforts.

The study also notes that the countries have taken different paths to institutionalise evaluation. However, all five countries have used government policy and not a legislative instrument to embed evaluations in government architecture. Except for Rwanda, they established stand-alone monitoring and evaluation departments/ministries. Therefore in those countries, monitoring and evaluation are not always integrated with other public service management systems such as strategic planning, budgeting, and auditing. There is, however, interest by parliaments to produce evidence, particularly from the monitoring and evaluation or research units. As both users and producers of monitoring and evaluation evidence, parliaments can serve to strengthen their own ability to carry out evaluations and use evaluation-generated evidence in oversight (CLEAR-AA 2019, p. 13).

Many institutionalisation challenges of evaluation in Africa have been identified. These include difficulties relating to the alignment of the timing, scope, and focus of evaluations with the timing, scope, and focus of national planning and budgeting processes. Some countries do not have an established process to follow up on evaluation recommendations. Chirau et al. (2018) note that South Africa, Kenya, and Uganda acknowledge the importance of Treasury and Finance for implementing NEPs and improving the feedback mechanisms between budget alignments, planning, and learning. The problem of alignment and feedback is complicated when recommendations are difficult to implement or require joint follow-up by different levels of government.

Although every country has a central agency responsible for collecting and analysing national data, most countries do not have integrated public registries. Governments need to invest in developing web portals and integrated systems, which could become important data sources for evaluation. Technical evaluation capacities are scarce to ensure measurable indicators are developed or that plans exist for product evaluations. A few countries have structures in place to participate in the beneficiaries of programmes in the evaluation processes; others restrict citizens' access to information on evaluation reports. Access to funds to support and sustain regular evaluation varies among countries. In some countries, budgetary provisions for evaluation are not guaranteed. In the politics of budgeting, evaluation may not get the required priority.

International donors have been pushing for broader use of evaluation as a governance tool. It is hoped that the demand by decision-makers and managers for evaluation will continue to increase as they seek accurately, updated, and timely produced information for policymaking. The media and civil society also continue to push for evaluation as part of

the tools to assess government interventions and press for public accountability of the use of public resources. Public sector and administrative reforms or governance activities supporting improved transparency and accountability support the production and use of evaluation across Africa. A study of 43 countries, including 12 African countries, concludes that “strong correlations exist between the stage of democratic governance in the countries surveyed and the capacity of their governments to conduct evaluations and ensure the independence, credibility and use of evaluation results” (UNDP 2015, p. 85).

Conclusion

Policy evaluation and evaluation policies assume that government is concerned about results. It also implies that the government is responsive and welcome citizens’ participation in governance. Thus, the evaluation must become a tool for getting feedback and acquiring knowledge about public policies and their impact on outcomes in terms of citizens’ welfare. Until recently, evaluation in many African countries has been fragmentary and largely donor sponsored. Yet, for too long, the absence of a systematic policy evaluation has partly accounted not only for poor policy performance and accountability but also for policy learning and improvement. Policy evaluation is at the heart of current concerns about developing an evidence-informed public policy culture in African countries. Happily, the demand for evaluation and the development of NEP and systems are gradually witnessing an uptake in many African states.

Building an evaluation culture enhances effectiveness, efficiency, and accountability in the management of development policies and programmes. African states must provide a unified policy framework for monitoring and evaluation where they are not yet in place to improve policy performance and accountability. To this effect, the African Union and regional bodies must put evaluation as an important aspect of development policymaking in Africa. Donor agencies should continue to support initiatives to develop policy evaluation as an integral part of project and programme management at various levels of government. They should support the process of developing NEP and systems across the continent. Their effort to support the building of evaluation capacity cannot be over-emphasised, but this should be done with a commitment to advancing local ownership of evaluation systems.

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PART III

Understanding public policymaking in Africa



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15

PUBLIC POLICYMAKING IN AFRICA

Lukamba Muhiya Tshombe and Thekiso Molokwane

Introduction

Government decisions are realised through public policy as designed for different sectors of the economy. Public policymaking and analysis validate the state's role in solving wicked problems like poverty, unemployment, housing, social insecurity and related political complexities. Following independence, many African nationalists delved on the need to develop their countries with government decisions and actions that considered the collective good of society. In this manner, local policymakers have always made such decisions on behalf of and for state development. Yet, 60 years later, poverty prevails, and countries still depend on external aid. This, however, does not mean that there have not been relative performances across Africa, with some countries and policy sectors performing better than others (see, for example, Chapter 7 of this volume). Notably, at independence, African countries adopted Import Substitution Industrialisation (ISI) as a development strategy to reduce their dependence on former colonial masters. Even so, sustained experiences of policy failure and underperformance remained and continue to manifest among the key features of governance across Africa, making the region relatively one of the poorest globally. The main reason for this includes the minute and nugatory African markets and the high cost of purchasing the required technology for most African countries (Ikome 2004). Moreover, the ISI policy did not achieve the goals planned by the African leaders. As demonstrated in this chapter, the problems with the market (including market failures) and technological advancements remain despite efforts towards regional integration (see, e.g. *Chapter 49*).

This chapter argues that evidence-based policymaking and analysis can be one way of solving such policy deficits. For any policy to be effective, policymakers must first collect all relevant data about the problem while considering the input of different stakeholders. We also look into the complex nature of policymaking and policy challenges in Africa from the 1980s. The Structural Adjustment Programmes (SAPs) and the Millennium Development Goals (MDGs) are used to assess policy performance and explain how and what may have led to such policy outcomes in Africa. The following questions broadly guide the proceeding discussion: (i) What policies have been rolled out in Africa since independence? (ii) What the critical factors of these policies in Africa are? (iii) What are the possible reasons for policy failure by African governments? This chapter is divided into four sections. The first section

discusses the theoretical background of policymaking, followed by presenting the prerequisites for policy effectiveness in Africa. The third section discusses selected policy frameworks that have been implemented in Africa, explaining components of their successes and failures, followed by a conclusion.

Public policymaking: a theoretical background

Public policymaking is complex. It entails several decisions by numerous organisations and individuals pegged on political, economical and normative considerations, among others. It is often also shaped by other public policy processes closely linked to other seemingly unrelated policy decisions (Peters 2005; Howlett and Ramesh 2009; Wu et al. 2017; Onyango and Hyden 2021). This poses a challenge for policy practitioners who must explore a broader range of methods, techniques, approaches and balance different interests during the policy development process. As such, rational methods of policy development are traditionally part of the groundwork of policy analysis despite other underlying deficiencies they tend to come with. A policy has to emanate from an unidentified and verified problem because it is difficult for policymakers to initiate a public policy and its analysis without a problem. First, contends Carley (1980, p. 21), “policy analysis is examined from the outside-in, that is defined in terms of its loci in the wider world of policymaking”. This means that it is also a matter of how politicians will accept the problem and the impact of the policy vis-à-vis the constituency. “The second way of looking at policy analysis is from the inside-out, which is in terms of its scope” (Carley 1980, p. 21, also see Chapter 51 in this volume).

Understanding what influences the government decision will affect the community, and policymakers should address this relationship. Politicians or bureaucrats as policymakers should adequately frame and understand the policy problem and develop solutions that satisfy public demands. Besides, public policy analysis is all about politics. Bismark cited in Carley (1980, p. 21) defined “Politics as the Art of the Possible” further, Carley (1980) mentions that “Politics also decides the content of the public policy, the promotion of values, and choosing among alternatives in an attempt to solve problems and improve human life”. Thus, politics relates to policymaking because government decisions, in theory, are always geared toward improving human lives. Information is critical for this. Dunn (2014) show that even in “nineteenth-century Europe, developers of policy knowledge began to base their work on the systematic recording of empirical data” (p. 34). Therefore, before policy implementation, it should be based on empirical data to minimise the strong possibilities of policy failure (Goldman and Pabari 2020; Mitullah 2021).

However, policy implementation may be delayed as policymakers generate and analyse data to develop a relevant policy. Indeed, “policymaking should be conceptualised [d] as a prolonged course of action, taking place over time and involving a large number of decision points rather than as individual acts of decision-making” (Dye 1979, p. 89). Consequently, there are several steps before policy implementation (Zittoun 2014; Sharkansky 2002). Also, the search for information and political ingredients of policymaking will require a policymaker to prioritise what is essential for implementation while considering the financial budget available to support government action (Wu et al. 2015). Besides, policy issues always compete for attention on the government agenda. However, rational models tend to oversimplify these complex processes of de-facto policymaking. In whatever way, contends Alila and Hyden (2021), the rational model simplifies the complexity inherent in the study of public policymaking for theoretical purposes. However, they add, “it is important to realize that the policy process rarely moves forward rationally and predictably as the theory may suggest” (p. 301). Figure 15.1 presents this rational process of policymaking, followed by an elaboration.

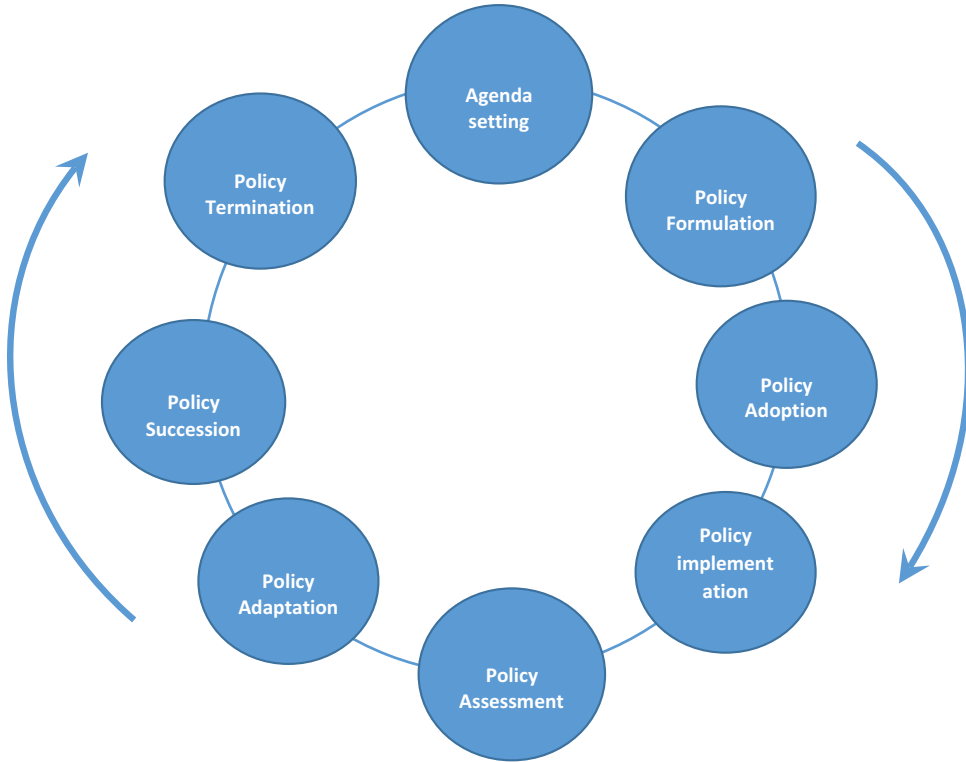


Figure 15.1 The policymaking process

Source: Authors. A modified policymaking process initially developed by Dunn (2014).

In general, governments and organisations often prefer the rational/stages model of policymaking and analysis. In Figure 15.1, the policymaking process begins with agenda-setting and ends with policy termination. These eight key stages of policymaking as explained below (see Dunn 2014):

Agenda-Setting: This step captures the political process of policymaking. Here, “elected politicians and appointed government officials decide to place problems on the public agenda. Many problems are not acted on at all times, whereas others are addressed only after long delays” (Dunn 2014, p. 43). The elected officials will decide on a problem that requires an immediate response from the government. Moreover, the elected politician prepares a bill for the committee and submits it for scrutiny and endorsement.

Policy Formulation: In this phase, “the elected officials formulate alternative policies to deal with a particular problem. Alternative policies assume the form of an executive order, court decisions and legislative acts” (Dunn 2014, p. 43). An illustration can be the electrification of rural areas across the country. This will normally be under the energy policy.

Policy Adoption: “Elected officials can adopt a policy when they have a majority in parliament” (Dunn 2014, p. 43). This will always require an agreement among members of parliament.

Policy Implementation: Government officials in the different ministries implement the approved policy. The national treasury or finance ministry should provide financial means for the bureaucrats to implement the policy.

Policy Assessment: “Auditing and accounting units in government determine whether executive agencies, legislatures, and courts comply with the statutory requirements of the policy and achieve the stated objectives” (Dunn 2014, p. 43). In this stage, the auditor general can evaluate the implementation of the policy and the way the finance was used.

Policy Adaptation: In this phase, the agencies or the department can evaluate the policy and provide some recommendations to the policymakers. This kind of assessment can tell if the civil servants had enough financial budget to achieve the goals recommended by the cabinet.

Policy Succession: Under policy succession, “the department or the institution responsible for the evaluation of policy acknowledges that a policy is no longer needed because the problem has been solved” (Dunn 2014, p. 43).

Policy Termination: The department or “the agencies responsible for assessing and oversight decide that a policy or an entire agency should be terminated because it is not needed” (Dunn 2014, p. 43). This could happen when the department recognises that other institutions in the state or private sector are doing the same job. The best decision will be to terminate the service of that department. This could be in the transport sector or the energy sector.

From the above, the policymaking process is a concerted effort geared towards connecting various stages of policy formulation and implementation. The emphasis is on the interconnectedness of multiple phases and their relations (Milakovich and Gordon 2004). Again, policymaking involves a step-by-step sequence that looks very neat on paper but often overlapping and intertwined in real life (Anderson 2015, p. 34). Additionally, related political procedures of policymaking involve the participation of multiple stakeholders, mainly lobby groups, political parties, senior government officials, elected officials, union members and business leaders (Durnova et al. 2016). These political processes become legitimised through different procedural tools of policymaking, especially public participation (also, see Chapter 12 of this volume). In this way, policy stakeholders and public members are part of the policy development process (Parson 1997).

The political processes also assign oversight roles to politicians who in theory should ensure that several steps are considered before the final steps. This means that elected representatives like Members of Parliament should be the stewards of public interest, an issue that, in practice has remained increasingly problematic, especially, in African political systems. For Dunn (2014), there are situations where a policy can be adopted first and then justified by working backwards to agenda-setting when a problem is formulated or reformulated to fit/justify the policy. However, elected officials should ensure that the policy is adopted and implemented by technocrats/civil servants. Still, this does not prevent a policy failure because of several reasons, including the competing interest of policymakers (both as organisations and personnel), sabotage by civil servants, budget deficits, institutional and technical capacities and misuse of funds.

Prerequisites of an effective public policy in Africa

Policy development approach

It is crucial to identify the cause(s) of policy problems accurately. Most significantly, the process of problem identification takes trajectories of power distribution among actors contingent on the prevailing political system. Policy development has traditionally taken either top-down or bottom-up approaches. Top-down approaches involve centripetal or centralised

policy processes where government officials, Ministers, Members of Parliament and Councillors identify and define the policy problem. Conversely, bottom-up approaches involve discursive policymaking processes bringing together local governments, Non-Governmental Organisations (NGOs), community-based organisations (CBOs), Village Development Committees, Chiefs and citizens. CBOs and NGOs, for example, are closer to the citizens and connect the government and citizens besides sometimes collecting data to inform policy alternatives.

Problem definition can be complex and difficult to define with precision, for example, what poverty is may be difficult to ascertain. Fundamental questions in this regard may include what informs the definition of a policy problem, how is it framed and why, by who or by what group? Also, as already noted by most chapters in this volume, the contextual-specificity of a policy problem may complicate its identification and definition. Even though there is an international definition of poverty (i.e. living below a US dollar per day), many people have different ways of defining and explaining poverty. People's perceptions, values, information and experiences influence how they define and identify problems. Therefore, problems are socially constructed, making it difficult to agree on a particular concept (e.g. Hastings 1998). A change in values and conditions may change how problems are defined (e.g. child abuse, child/arranged marriages, spouse abuse, high divorce rates). All these issues were defined and discussed differently in the 1980s and 1990s than is the case today. This makes problem identification a complex and non-static activity.

The approach used to formulate a public policy has a bearing on whether the policy becomes a success or not because the approach has a bearing on whether the policy can reach its mandate. A bottom-up policy formulation is presumably likely to be more effective than top-down policymaking depending on a policy issue being addressed, the instruments needed to make it effective and policy goals. The suitability of bottom-up policymaking processes tend to lie in the support of interest groups or the grassroots support. They also enjoy and maintain political support through formulation to implementation (Sabatier 2019, p. 73). Conversely, top-down policymaking processes take shape and form policymakers only and their principals (Lucas 2013). Either way, a bottom-up or a top-down approach is hardly perfect or can wholly work in isolation as each have their own challenges to the public policy process. For example, citizen participation is both complex and tend to be fluid and ineffective, especially, where citizen oversight and agency is weak (Onyango and Hyden 2021). Similarly, a top-down policymaking like in forms of executive directives can be effective in policy implementation, especially, during a crisis like it was most the case with controlling the COVID-19 pandemic. Therefore, where possible, a complementary integration of bottom-up and top-down approaches is prudent in policymaking. This will require among others; effective collaborations between the local and national governments, as well as between the government, the business community and other relevant stakeholders concerning a particular policy. As demonstrated by various contributors to this volume, these remain a challenge in most African countries.

Quality of research

Research determines policy effectiveness because research-informed policies tend to be more effective than those not informed by research (Strydom et al. 2010, p. 1). The research provides empirical information on the problem, the scale of the problem, the people affected by the problem, possible stakeholders involved, possible policy alternatives, etc. Research helps governments and policymakers to be well informed to respond to policy problems. A policy that is not informed by research usually misses the accuracy of the problem resulting in

implementation deficits. Research should also be participatory to ensure that those affected by the problems become a source of knowledge during the formulation of policy alternatives (Engel and Schutt 2014). According to May (1986, p. 109), there are aspects of policymaking for which political science has been increasingly relevant in devising policy proposals or their legitimacy for implementation. However, studies have generally shown that research utilisation and evidence use bears a complex relationship to policymaking. In African policy systems, research utilisation and its quality, in particular are still posing a challenge. Apart from the nature of politics that does not prioritise research utilisation, there are also issues of capacity to use research, the quality of research and sources or intentions of the research produced (see Chapter 3 of this volume for a detailed discussion on this).

Resources allocated for the policy process

The availability of resources for policy formulation and implementation determines the effectiveness of a policy instrument being used. When the government commits more resources to a policy, it is more likely to be effective because it determines both the human and financial capacities essential for policy success. Therefore, resource deficits are more likely to result in less effective policy processes, inadequate research and implementation challenges. The reason for this is that the processes of consultations and research are time-consuming and expensive. Also, with the advancement of technology, carrying large-scale researches becomes more expensive (Barker and Peter 1993). With the support of solid evidence, resources may impact policy implementation (Boyle et al. 2012, pp. 407–23). Conversely, the availability of resources without strong evidence may lead to the implementation of policies that would only express the interests of funders or donors (Ohno 2005) that underscore policy internationalisation that seeks to achieve global indices for development over policy contextualisation that should underscore context-specific solutions in Africa, causing policy failure (Hyden 2021).

Implementation strategies

An implementation strategy is important. It sets the tone of how the policy ought to be like in practice. A practical implementation strategy is policy-specific, which clearly explains how the policy will be monitored and evaluated. The implementation should have specific tools and measures to assess whether the policy meets its objectives. A policy design with an effective implementation strategy tends to result in a practical policy implementation strategy (Peters 2005; Hill and Hupe 2014). The design and selection of policy instruments are central to the effective implementation of the policy instrument. In government, while Ministers or the Cabinet are frequently involved in selecting policy instruments, government agencies determine the details of the implementation strategies. Other factors like the cabinet intention, available resources and the target group are often considered in this regard. Frequently, new policies require new organisational arrangements (Ramesh 1995). When policies do not have clear and effective implementation plans, they are more likely to fail (Peters 2005; Pressman and Wildavsky 1973).

Stakeholder participation/legitimacy

Various stakeholders play different roles in policy development. It is crucial to include non-governmental stakeholders in the policy process to ensure, among others, policy ownership and the requisite legitimacy. Citizen involvement in policy formulation, for instance, offers citizens an opportunity to influence policy decisions. Denying the public an opportunity

to participate in policy formulation is often linked to how the government perceives a ‘citizen’ (Molokwane and Tshombe 2018, p. 194). An inclusive public process does not see the citizens as mere recipients or targets of public policies but critical stakeholders. It is assumed that citizens are the ones who best know their needs. To Van Til and Van Til (1970, p. 313), “the participation of citizens is a basic aspect of liberal democracy”. This results in a people-centred development (PCD), which places people at the centre of development. Other organised groups like NGOs pursue different goals. Usually, they operate as close as possible to the citizens, and they may therefore have a better understanding of the people’s needs and demands. These organisations take part in the policy development process at any of the stages. Additionally, the effectiveness of the public policy depends on large institutions dealing with the formulation, implementation and evaluation of the policy. Thus, the policy may be effective if given all the attention it needs leading to economic growth. And how to go about this differs from one policy context and policy domain to another, even within the same country.

Policymaking in Africa

The socio-economic development in Africa is more likely to be transformed through policy development and implementation processes that are African centred (e.g. Levy 2015). The success of any public policy must have a prudent financial budget for government goals to be achieved. A successful policy further needs to have all the stakeholders in the country to achieve its goal. African countries have implemented multifarious policies since independence. A few of those policies nevertheless brought about the modest development noticeable in the continent. The poverty rate in Africa remains high, and diseases such as HIV/AIDS and Ebola still pose a challenge. African governments must find a solution to all these problems, including the current pandemic of COVID-19 as the number of infections increases in most countries. Despite the meetings by African leaders to discuss policy strategies against the current pandemic to protect their populations, many governments have demonstrated a lack of preparedness and the capacity to handle the magnitude of the COVID-19 pandemic.

After independence, African countries took national and regional initiatives to implement several policies—for example, the Lagos Plan of Action (LPA). However, these policies were later primarily replaced by donor-sponsored policies from the 1980s, mainly SAPs and their revisions in MDGs. The basis for the inception of these policies (donor-sponsored or not) was the weak economic position after independence in many African states. LPA policy framework, for example, can be traced back to the Bandung Conference in 1955, where most leaders wanted to see perfect development in different countries. The vision was the creation of African industrial leadership in various fields of the economy. More importantly, the success of these regional policies did not materialise because of insufficient funding in achieving different development visions. This led to the adoption of externally formulated policies for African political systems by the International Monetary Fund (IMF) and the World Bank. The latter specifically rolled out and funded the adoption of SAPs of the 1980s. This would be decades later, followed by adopting the United Nations’ MDGs (2000–15). Except for the financial budget, all these set of policy frameworks in one way or the other lacked most of the requisites mentioned above for policy success, as demonstrated further below.

Policy implications of SAPs for African governments

Western donors and International Financial Institutions (IFIs) imposed the SAPs onto African governments, and the latter had little inputs. During the implementation of the SAPs,

most of the countries in Africa had “highly regulated economies to the extent that prevailing restrictions and distorted price incentives made firms such as those in the manufacturing industry less productive” (World Bank 1998, p. 1). SAPs came with higher-interest loans to governments that had to commit to implementing stringent and unfavourable conditionalities. To the World Bank and IMF, SAPs presented an opportunity for effective development and economic growth in Africa. However, the practicality of these economic policies was disapproved by their disastrous policy outcomes across Africa. According to Logan (2015, p. 4), ‘Adjustment’ meant liberalising and privatising, although SAPs were wider in scope in that their establishing parameters for making a judgement on their impact cannot be understated.

Therefore, how effective were SAPs in achieving their development goals, and second, how necessary was the integration framework of SAPs for Africa? Of particular importance is that SAPs were neoliberal policies that underscored the liberalisation of the economy, privatisation of State-Owned Enterprises (SOEs) and public servants’ reduction or entrenchment. Thomson (2010, p. 24) argues that such “architects of the programmes were because of neo-colonial exploitation driving their self-interested intention”. That is, IFIs promoted capitalistic ideologies and structures in Africa during the Cold War era. The moral language of development was to obscure this aim, thus explaining the lack of several requisites for policy effectiveness of SAPs like policy ownership and research-informed policy designs (see Logan 2015).

Besides indebtedting and plunging Africa countries into inflation and eroding the institutional capacities of African bureaucracies to innovate and make relevant policies, the SAPs also compounded key salient policy problems in Africa since independence, mainly poverty, regional inequalities, unemployment, etc. Thomson (2010) contends that the plan behind the SAPs failed, leaving the majority of the Africa countries disabled by considerable debts. Other scholars point out the failure of the SAPs to have involved or caused “overall economic failure and had destructive social consequences” (Fatton 1992, p. 92). Also, the inflation prices of goods in the market become very expensive for most African populations.

When government officials develop and understand a policy, there is a high possibility of achievement. Yet, this was hardly the case with SAPs. The IFIs also neglected contextual-specific factors and imposed Western ideologies and structures that had a mismatch with local realities in Africa (Hyden 2006; Levy 2015). A successful policy should integrate the needs of the local people and prioritise their demands. This was lacking in the formulation of SAPs.

Policy implications of MDGs in Africa

Even though the African leadership provided their input, MDGs were developed outside Africa and hence lacked critical discursive policymaking processes that should enhance policy ownership and implementation by the political elites (see e.g. Chapter 29 in this volume). Like SAPs, most developing countries adopted MDGs in 2000. Numerous African countries made good progress implementing MDGs and achieving relative success of some goals. For Sachs (2012, p. 2206), “the plausible shortfall in achievement of the MDG is truly serious, regrettable, and deeply painful for people with low income”. This was blamed on the political authorities and policy implementers. Many African governments failed to address Goal number 1 for Ending Poverty. Indeed, even recently, the Africa Union (AU) recognised the slow progress of poverty reduction. According to the Africa SDG report (2017, p. 4), “the rate of decline in extreme poverty (1 American dollar per day) has been slow in Africa, declining of a mere 15% from 1990 to 2013. Women and the young one is the one bear effect

of poverty”. Job opportunities in many African countries are limited, and many graduates are forced to remain at home without employment (Lukamba 2019).

A look at Goal 2, the level of hunger in the continent is still very high. Food production needs to improve to satisfy the daily demands of communities in Africa. If every country has a food security strategy, hunger will decrease (see *Chapter 41*). Indeed, food insecurity has remained a wicked policy problem in Africa. According to the SDG report (2017, p. 4), almost 64% of the people in Africa are malnourished. That is, 355 million people in Africa were moderately or severely food insecure in 2015. In some countries, this has been attributed to political instability and civil war, like South Sudan, the DRC, Somalia and others (Lukamba 2019).

Besides, some MDGs have not been achieved because of a lack of political commitment and institutional deficits between 2000 and 2015. Lack of political will and institutional deficiencies also explains failures of continental policies, mainly the 2063 AU agenda and the New Partnership for Africa Development (NEPAD). So, policy performance across Africa takes stock of internal and external governance variables. The interplay between local and external determinants of public policy ranges from competing rationales on policy problem, institutional deficits, insufficient understanding of contextual realities to political complexities.

Improving future policies for better governance: what can be done?

The relationship between politics and public policy has to be managed

Extant literature illustrates that policies have to meet specific political needs and values. Thus, a question that arises is ‘do policies determine politics?’ This question should be traced back to the dynamics of a ‘policy problem’ right from problem identification to problem definition. This is critical in understanding the relationship between politics and public policy (see *Part V*). The perception of a problem and the impact of the solution of a problem play a crucial role in conceptualising policy-politics relations (Fisher et al. 2007, p. 113). Moreover, there is a need to consider three aspects of how a problem can be solved politically. These include:

- a Differences in predictability;
- b Shifting or static policy boundaries and
- c Interdependencies between policy sectors.

These aspects may bring challenges to the relationship between politics and policy. According to Mead (2013, p. 390), political leaders constantly struggle to reconcile policy and politics. Still, they face challenges of aligning what they want to do and what the political system can allow them to do. They think that what they think is desirable ‘on the merits’ must be reconciled with what can be accepted by other politicians and then implemented by administrators. Squaring that circle is what statecraft is all about. Mead (2013, p. 392) argues that, in analysing policy, one pleads for a preferred course of action initially on the merits, without attention to the politics. However, having done that, one should consider whether the political system can approve and implement such a policy. However, the policy remains a political process.

Policy research is critical to successful policies

Policy research is likely to close the gap between politics and policymakers in gathering concrete information and data tackling societal policy problems. As Mead (2013, p. 390) observes,

research on the politics of policy lacks a wide audience because it usually makes no argument for the best policy, and few other than academic specialists will be interested in the political analysis of issues unless it is linked to some serious proposal for change. Only then are policy and politics joined in the way that successful statecraft requires, and only then does the researcher sit in the same seat as the policymaker, seeking to reconcile the optimal with the politics.

Poorly implemented policies by bureaucrats have led to the loss of confidence in society. This has affected policy, research and public interfaces as society's participation in research has become very poor. Politicians and the government have been accused of inaction when it comes to policy research and policy formulation. This is hardly unique as policy science has also struggled to understand the significance of inaction in public policy. Inaction is when policymakers do nothing about societal issues. Inaction can be deliberate, strategic or tactical, but then, there may be a danger of rushing in before an issue is sufficiently mature. For instance, most African governments and elected politicians have a weakness of rushing into implementing policies without sufficient policy research, even though it is sometimes essential to wait for evidence (McConnell and Hart 2019, pp. 645–51). Hence, political factors affect evidence-based policymaking, mainly when evidence in policies is incomplete and fragmented.

Legal factors

All policy stakeholders have to operate within constitutional limits to ensure that public policies being formulated and implemented do not infringe on fundamental human rights and freedoms. This enables citizens to challenge such policies in a court of law. Indeed, litigation has often brought about policy changes in some cases across Africa, for instance, in minority groups and how the political process and society engage one another about national interests. In this regard, all policies or laws deemed harmful to citizens must be amended or discontinued.

Adequacy of support for successful public policy

Financial support is a very critical component of policy success. Often, policies have failed because of a lack of monetary support. Financing policies enables governments to distribute resources effectively. The study of public policy, therefore, is significant in understanding how government undertakes resource allocation. Through public policies, we know why some sectors of the economy get more resources than others. It is also important to note that every society is characterised by endless needs and demands for essential services. Public goods and services require substantial amounts of finance, human, raw materials, time, etc. Nevertheless, resources at the African governments' disposal are often limited to provide all these services simultaneously. Thus, governments cannot meet all the citizens' demands and expectations, hence the call to deepen partnerships with non-governmental actors and open innovation to find better cost-effective and cost-sharing policy solutions.

Conclusion

This chapter demonstrated that multiple actors and factors influence policymaking ranging from institutional, political will and socio-economic factors. The underperformance of SAPs and MDGs largely failed because of their lack of contextual specificity in identifying and defining the policy problems, lack of institutional capacities and citizen participation.

Also, evidence-based policymaking factors still point to the need for more work to enhance the policy effectiveness of policy programmes. The significance of policy research is emphasised because it is more likely to lead to well-informed policies that can yield positive policy outcomes. Therefore, going forward, this chapter recommends the following to improve the effectiveness of policymaking and policy performance in Africa: an establishment of effective management strategies of the relationships between politics and public policy, strengthening of the linkages between research and policy spheres, increased and informed attention to adequate budget allocation for a particular policy, political commitment in supporting the entire policy process and adopting strategies that would broaden stakeholder participation. This should include engaging experts and deepening citizen participation in public policy processes. All these factors complement each other and should be pursued as a whole to increase chances for policy effectiveness. The proceeding chapters pay particular attention to some of these areas in different African contexts and policy sectors.

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HISTORICAL PERSPECTIVES OF POLICYMAKING AND ADMINISTRATION IN AFRICA

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Introduction

Policymaking is a core responsibility of governments today in Africa compared to the pre-modern era, where societies were primarily consumed with survival and self-preservation strategies (Gerston 2014). There are two dominant viewpoints for the centrality of policymaking and administration today. The first concerns citizen participation because of the growing democratic space and citizens' awareness of their basic rights. Second, the growing needs of citizens and the demands on governments to address these needs (Gerston 2014; Lester and Stewart 1996). The *needs argument* of citizens and the responsibilities of governments to meet these needs may explain the centrality of public policy, the content of the policy process, policymaking and administration in 21st-century Africa. What then is public policy? Public policy as an intervention by the government to resolve societal problems has been defined differently in this volume. Thomas Dye describes it as 'what governments do, why they do it, and what difference it makes' (Dye 1992, pp. 2–4). To Harold Lasswell, it is a 'projected program of goals, values, and practices' (Lester and Stewart 1996, p. 5). Ohemeng et al. (2013) consider it the coalition of actors in the policy process involving the step-by-step process these actors take to address the needs of citizens. But Guy Peters takes the definition of public policy a step further to discuss the *emergence* and the *process* elements of policymaking where policies emerge from the complex interactions of ideas, programs, actors, institutions and government agencies (Gerston 2014, p. 5). Thus, public policy and public administration underscore important commonalities of government activities, goals and decisions.

Policymaking and administration in Africa predate European colonial contacts (Martin 2012). Contrary to the stereotypical narrative, pre-colonial African states initiated and implemented public policies, and managed their own affairs and their citizens before the invasion of European colonialists. The well-organized ancient empires of Egypt, Libya, Abyssinia/Ethiopia, Ghana, Dahomey and Ashanti (Martin 2012) are a few examples. Africa's policymaking arguably reflects the complexities of pre-colonial, colonial and post-colonial influences that characterize its political systems and ideologies (Koehn 1990; Kpundeh 1992; Mkandawire 2014). Given the emerging complexities from a mix of different historical phases, previous experiences and current trends, this chapter examines the historical

perspectives of policymaking and policy systems in Africa. It draws from *policy entrepreneurship* and *lesson drawing* theories to demonstrate that past governing experiences in Africa are important in understanding the complexities of public policy and policy systems in Africa. Indeed, internal and external influences impact the current landscape of policymaking and administration in African countries.

This chapter examines these issues within the context of different historical periods of policymaking and administration (policy systems). It focuses on policy actors, agencies and influences (internal or external) with examples from Ghana, Nigeria and Kenya. The selection of these countries was based on shared commonalities as former British colonies, membership to the British Commonwealth and their representation of West and East Africa regions.

This chapter is organized into two parts. The first part provides an overview of the policy concepts of *policy entrepreneurship* and *lesson drawing*. The second part explores the historical perspectives of policymaking and administration in Africa, focusing on historical structures, different political systems/ideologies and policy actors. As already alluded to in the introduction of this volume, a historical analysis of policy systems and ideologies in Africa plays three important analytical roles. First, it puts into context the evolution of the state since the pre-colonial era. The knowledge on the evolution of African state is critical in analysing the changing governance environments and discerning the administrative capacity to improve policy effectiveness in the 21st Century. Second, such a knowledge is essential in understanding the perpetual role of transnational actors and the agency of bureaucrats or citizens in African public policy and policymaking (Knack and Rahman 2004, also see Chapter 10 above in this volume for detailed discussions). Third, but relating to the second point, a historical perspective brings to light the development, the variations and how the current policy regimes emerged and change.

Policy theories

Policy entrepreneurship

The concept of policy entrepreneurship has evolved in policy studies since John W. Kingdon conceptualized it in 1984. Since then, policy entrepreneurship has generated other scholarly disciples. Kingdon (1984) defined policy entrepreneurs as policy agents looking for windows of opportunity to push their pet projects onto a national agenda for action. For Mintrom and Vergari (1996), policy entrepreneurs undertake actions that influence the policy environment just as business entrepreneurs do for the marketplace. As business entrepreneurs, policy entrepreneurs invest their time and invest resources, reputation and money to promote specific policy outcomes (Mintrom and Vergari 1996; Mintrom and Norman 2009).

Another attribute of a policy entrepreneur is the ability to serve as an agent of policy change. Policy entrepreneurs act as policy agents and have the knowledge and tenacity to exploit opportunities for policy change (Cairney 2018). As business entrepreneurs, policy entrepreneurs possess important skills that help them adapt to their environments as they invest their time for future rewards (Cairney 2018; Kingdon 1984). While supportive of the policy research that underscores the importance of policy entrepreneurs as policy agents, Crow (2010) argues that policy entrepreneurs can also include groups. Concerning Africa's policymaking, the two important questions of interest are: Who are policy actors in Africa? How effective are they in shaping policy outcomes? This is where the centrality of the policy entrepreneurship concept becomes essential in providing a theoretical utility for this chapter.

Lesson drawing

For almost three decades, Richard Rose's concept of lesson drawing has been central in policy studies. To Rose (1991), lesson-drawing deals with how policies are transferred from one jurisdiction to another. It also involves borrowing a policy idea or initiative from one country to another or within the same country (Asare and Studlar 2009; Rose 1991). Asare and Studlar (2009) note that lesson drawing is also synonymous with policy diffusion, policy borrowing, policy transfer and policy copying (Asare and Studlar 2009). This chapter limits its discussion to the above definition of lesson drawing (Rose 1991). Lesson drawing demonstrates that even though countries may have their unique policy problems, many share commonalities in key policy areas such as education, economy and public health (Rose 1991). The ongoing COVID-19 pandemic represents a relevant case in Rose's (1991) idea of policy problems' shared commonality. Thus, lesson drawing is driven by the shared commonality of global policy problems. This is where the lesson drawing of positive policy outcomes becomes essential to another jurisdiction.

Similarly, lesson drawing can still take place when a policy implementation outcome is negative. This is where policymakers in other countries learn from the mistakes of others (Rose 1991). Asare and Studlar (2009) also discussed the different forms in which lesson drawing occurs. They identified *policy copying*, which occurs when policymakers draw lessons from other countries with substantial, minimal and no modifications. *Selective imitation* occurs when policymakers draw on other policies that include hybridization or synthesis, combining elements of policies from different countries or drawing policy ideas from one policy setting to stimulate fresh thinking on new policies (Asare and Studlar 2009).

This conceptual discussion raises two questions on the historical perspectives of policymaking and administration in Africa. First, understanding the present era demands efforts to understand the past (Rose 1991). That is, the question of how lesson drawing has shaped policymaking and administration in Africa becomes fundamental. Second, the theoretical discussion of policy entrepreneurship focuses on the debates on the nature of actors and agencies that have shaped policymaking and administration in Africa. Therefore, these policy concepts provide a persuasive theoretical lens for understanding policymaking and administration in Africa. This discussion considers three key periods: (a) the pre-colonial and colonial periods (before and after the Berlin Conference of 1884), (b) the post-colonial or the independence era (the late 1950s–60s) and (c) the era of social and economic reforms of the 1980s, including the attendant political reforms of the 1990s. Table 16.1 provides a summary of these historical periods with respective policymaking and administrative processes they produced.

Pre-colonial and colonial policymaking and administration in Africa

As seen in Table 16.1, before the Berlin Conference of 1884 or colonialization, Africa had effective public administration elements grounded on traditional structures and leadership (Shafritz and Russell 1996; Nnoli 2000). According to Mazrui (1986), pre-colonial African societies had governance structures that were either fragmented or centralized. Centralized governing structures of the Songhai Empire, the Ashanti Kingdom and the Buganda Kingdom are good examples of centralized administration. Also, the story of Africans managing their public affairs as revealed in their policymaking was not too different before the Berlin Conference of 1884. Indeed, African empires administered their ancient civilizations based on their power and resources (Mazrui 1986).

Table 16.1 Summary of historical eras, policymaking and administration in Africa

<i>Historical periods</i>	<i>Actors and agents</i>	<i>Structures and processes</i>
Pre-colonial (Before 1884)	Traditional leaders	Traditional structures and leadership Top-down processes/ Participatory/consultative/consensual
Colonial (from 1884)	Colonial authorities and traditional leaders	Colonial policymaking (direct and indirect rule) and administration Top-down processes Policy transfer
Post-colonial (the 1950s–70s)	African bureaucrats of the independence Military regimes/actors	Policymaking and administration focused on the modernization of society. Top-down Development administration Policy-learning
Post-colonial (the 1980s)	African policymakers/international bureaucrats Economic policy actors	SAPs, ERPs Recognition of private sector actors Macro-policy outcomes Top-down/bottom-up Policy transfer Lesson drawing
Post-colonial (the 1990s to Present)	African/international bureaucrats Economic policy actors Civil society organizations/NGOs Community-based organizations Traditional chiefs	Public participation/democratic administration Decentralized decision-making processes Top-down/bottom-up Lesson drawing/policy transfer Networks/governance Public-private partnerships Policy entrepreneurs

Pre-colonial Africa had several administration and governance structures that illustrate how Africans achieved a great deal in traditional politics, social organizations and sophisticated administrative and governance systems that addressed community safety, protection and citizens' general well-being (Mazrui 1986). For Njoh (2006), pre-colonial Africa goes beyond the Eurocentric narrative of a 'dark continent' inhabited by many 'primitive' and warring tribes who wandered in jungles without any sense of human organization. This dubious narrative from colonial enterprises infers that Africans should be 'grateful' to the colonialists for saving them from the misery and tribulation of the pre-colonial era (Nnoli 2000). Yet, extant literature demonstrates that this is a flawed perspective, and Africans owe no sense of appreciation to the colonial enterprise (Njoh 2006).

Shafritz and Russell (1996) show that traditional leaders, mainly chiefs, kings and queen mothers, were involved in administering their communities while ensuring access to communally owned essentials such as arable lands for cultivation and security. Pre-colonial African societies had their own effective administrative systems and governance structures, and were uniquely well-established to carry out policymaking and administration before 1884 (Azevedo 1998; Koehn 1990; Mazrui 1986). The Berlin Conference of 1884 changed these policymaking and administrative landscapes, replacing them with policies to ensure total control by the colonizers (Azevedo 1998).

The British, for instance, devised a colonial policy of the *indirect rule* system in most colonies like the Gold Coast (now Ghana), Nigeria and beyond. In the indirect rule system, Africans were ruled indirectly through their local governance and traditional systems (Azevedo 1998). According to Azevedo (1998), the British's idea of an indirect rule was to 'preserve' African traditional political structures and institutions while also exercising control over colonized territories. To ensure political and administrative control, the British established colonial secretariats in each colony headed by a governor assisted by the administrative staff of the colonial office (Azevedo 1998; Koehn 1990). Conversely, the French and the Portuguese designed a colonial system of *direct rule*, underscoring the policy of assimilation or the idea of integrating African 'subjects' into their respective European cultures (Hyden [1980] 2020; Koehn 1990). Britain also enforced the policy of direct rule in Kenya and other territories with decentralized governing systems.

Policymaking in colonial Africa naturally blended the colonialists' administrative systems with indigenous customary practices (Koehn 1990). Policymaking during the colonial era was also top-down and undemocratic (Koehn 1990). The recognition of colonial injustice and misrule necessitated demands for reforms where Africans, especially the intelligentsia, could be included in the colonial system in Ghana and Nigeria (Adu-Amoah 2015). For example, in the Gold Coast, Governor Guggisberg introduced a policy reform of 'Africanization of the civil service' to address the demands of Africans for inclusion in the colonial administration (Adu-Amoah 2015). While the colonial administrative reform seemed like a 'positive' step for Africans, the colonial policymaking was still geared to the fundamental goal of exploiting the colonies over the benefits, the interest and development of Africans (Adu-Amoah 2015).

In consequence, public administration systems were characterized by colonial elements with a few positive outcomes for Africans. Olowu (2003) offers two reasons for this. First, colonialist painted Africa as a mere 'wasteland' place where no semblance of culture, development or civilization existed. This fallacious image and the 'civilizing mission' helped the colonialist gain control of Africa (Olowu 2003). Second, the introduction of the European administrative systems largely ignored indigenous African public administration systems (Basheka 2012). The aggressive enforcement of the colonial administration models also resulted in the reluctant embrace of Africans' modern public administration system due to its European origins (Basheka 2012).

Theoretically, policymaking and administration in pre-colonial and colonial Africa, especially in the British colonies, show key actors and agencies involved in policymaking and administration. In the pre-colonial era, policy actors were mainly traditional African leaders. The colonial era introduced new actors, mainly colonial administrators, local partners like paramount chiefs and the African intelligentsia. These actors are arguably consistent with the central idea of the policy entrepreneurship (Kingdon 1984) concept as key policy actors in the pre-colonial and colonial policy process (see *Chapter 11* for further details).

Lesson drawing was hardly pronounced in the pre-colonial and colonial eras, but some aspects of the concept appeared in the colonial era. For instance, indirect rule was introduced to other British colonies in West Africa (Ghana and Nigeria) and East Africa (Kenya). Governor Frederick Lugard's role as a leading practitioner in administering the indirect rule policy and his systematic efforts of transferring this policy to other colonies in West Africa demonstrate lesson drawing of the policy from one jurisdiction to another.

Post-colonial policymaking and administration in Africa

The independence era from the late 1950s through the 1960s represents another significant period in the historical perspectives of Africa's policymaking and administration. Since the

exploitation of the resources of Africa was at the core of the colonial policies, the structure of economic production, governance institutions, infrastructure and administration were geared to the promotion of the export of African commodities (Adu-Amoah 2015). Roads and railways were built to facilitate export commodities, mainly minerals, cash crops, etc. (Adu-Amoah 2015). The educational system and the civil service facilitated the management of the colonial economy. Consequently, Africa lagged in development by the late 1950s (Meredith 2005).

Given the severe socio-economic conditions following independence, policymaking was primarily shaped by a combination of internal and external factors. Internally, nationalist leaders such as Kwame Nkrumah of Ghana, Jomo Kenyatta of Kenya and Julius Nyerere of Tanzania designed socio-economic policies to address the development needs of their countries. As Kwame Nkrumah noted:

Once this freedom is gained, a greater task comes into view. All dependent territories are backward in education, agriculture, and industry. The economic independence that should follow and maintain political independence demands every effort from the people, total mobilization of brain and workforce resources. What other countries have taken three hundred years or more to achieve, a once dependent territory must try to accomplish in a generation if it is to survive'

(Nkrumah 1957, p. vii; quoted in Adu-Amoah 2015, p. 86)

Three points are noticeable from Kwame Nkrumah's quotation. First, it reveals Africa's underdevelopment in crucial sectors such as education, agriculture and industry. Second, political independence should be viewed as a means of realizing economic growth. Finally, he reveals the need for Africa to catch up with the rest of the world within a generation.

In their work on Ghana's policymaking after independence, Aryeetey and Kanbur (2017) argued that Ghana had about 250 million pounds at independence as Kwame Nkrumah initiated the five-year Development Plan (1959–64) in 1958. The Plan's agenda included infrastructural expansion, provision of public services in the pre-independence era and a hydroelectric plant in Ghana. The five-year Development Plan was replaced in 1961 with a comprehensive seven-year Development Plan. Altogether, these show the internal-external nexus of Ghana's policymaking. Internally, policymaking focused on the modernization of agriculture and industry (Aryeetey and Kanbur 2017) and externally shaped by the geopolitics of the Cold War era (Kumah-Abiwu et al. 2020). Kwame Nkrumah, like Nyerere, responded to the global geopolitics by adopting a socialist political ideology/development strategy, with Kenyatta adopting a capitalistic orientation. To Kanbur (2017), the role of actors such as W. Arthur Lewis in Ghana's economic policymaking in the early years of its independence can also not be underestimated in the broader discourse of the era.

In Tanzania, President Julius Nyerere's development strategy had a robust indigenous flair for the idea of *Ujamaa* (Nyerere 1968, 1973). *Ujamaa*, a Kiwahili expression for extended family, signifies the collectiveness of humanity in society. It was considered the African version of socialism by many African leaders (Hyden [1980] 2020). It aimed at providing public policy philosophy and a new sense of identity and direction for Africa's development through the core principles of self-reliance and equality (Nyerere 1973). Nyerere's recognition of Africa's underdevelopment reflected in his slogan of 'we must run while others walk' to speed up the development of Africa through sound policymaking is another example to underscore (Nyerere 1968, 1973).

The period between the 1980s and 1990s

The 1980s and 1990s represent another important era of major policymaking in Africa. In general, Africa's independence brought optimism about its development and witnessed development strategies with disappointing outcomes. While some development strategies resulted in high growth of gross domestic products (GDP), many others failed to develop, mainly because of ineffective leadership; poor policy implementation; policy discontinuity; slow industrialization and an environment not conducive for private sector growth (Ayele 2013, p. 260).

This period also witnessed economic mismanagement and general political decay as some African states instituted a one-party system of government with limited space for dissenting political views (Anyebe 2018; Mkandawire 2014). A combination of these problems emboldened the military to intervene in politics from the mid-1960s to the 1990s (Anyebe 2018; Koehn 1990). The military regimes and their ruling councils became the key centres of policymaking. Naturally, the legislative and executive powers were neither independent nor separated in these military regimes like Nigeria and Uganda (e.g., Anyebe 2018). Most of these regimes came to power under the disguise of 'liberators of the masses' or 'revolutionaries' to redeem the people from corrupt political elites and the economic decay of societies. However, they performed poorly in policymaking and administration (Mkandawire 2014).

Some of them also initiated unpopular policies to their own detriment. The economic policy of Ghana's former military leader, Colonel Acheampong of the National Redemption Council – NRC, represents a classic case. Being driven by his nationalistic idealism in the 1970s on Ghana's external debts, Colonel Acheampong decided not to pay (*Yentua policy*) Ghana's external debts to its Western creditors (Kumah-Abiwu 2016). Colonel Acheampong's decision was misguided and showed poor and single-handed policymaking/administration under military regimes.

African countries faced difficult economic situations in the 1980s and 1990s; hence, Western donors intervened regardless of whether their governments were democratic or undemocratic. The paramount interest of Western donors was for African countries to only adhere to the borrowing conditions (Boafo-Arthur 1999). Crisp and Kelly (1999) argued that two main factors drove the social reforms and huge economic policymaking across Africa in the 1980s. First, national debts, huge budget deficits, high inflation and low growth/development. Second, the abandonment of the statist development strategy (inward-looking development paradigm) for neoliberal and market-oriented development paradigms. These issues were the reasons that led to adopting Structural Adjustment Programmes (SAPs) or Economic Recovery Programmes (ERP) (Crisp and Kelly 1999). For example, Ghana launched the Phase-I of IMF-sponsored ERP in 1983 and Phase-II in the mid-1980s under Jerry Rawlings' military regime. Though debatable, Ghana's success with its externally driven economic policymaking of the 1980s has always been hailed as a model of success by the international community (Hughes 2005). According to Adedeji (2001) and Kumah-Abiwu (2016), Ghana would not have successfully implemented neoliberal economic reforms without Jerry Rawlings' leadership and decisive policymaking.

Another significant aspect of policymaking in Africa in terms of domestic and international interplay occurred in the 1990s. The interactions between African countries and their international lenders in the 1980s changed in the early 1990s after the Cold War. The introduction of political conditionality by international donor institutions for governments to open their political spaces and embark on multi-party democracy became the main condition for economic assistance for developing countries, including those in Africa. Economic

liberalization and SAPs became inextricably linked to political reforms (Boafo-Arthur 1999). Harsch (1993) describes the 1990s as an era of a 'different language' emphasising the dualism of political and market reforms in Eastern Europe and Africa.

Thus, the 1990s represented the era of 'democratic policymaking' where citizens became engaged in the policy process. Kpessa (2011) argues that policymaking across Africa shifted from state-centred bureaucratic and elite approaches to policymaking involving citizen participation in the 1990s. This is where policy ideas and initiatives become visible and 'democratized' with the citizenry as the policy process became accessible or visible, as Onyango (2019) has articulated in his idea of *policy-visibility*. This was contrary to the 1980s when policy ownership was absent, where many felt that the policy process was not widely an open process (Mukonza 2014).

The economic and political reforms process was evident in other areas of society in the 1990s. The strengthening of state institutions and capacity building programs was pursued, involving the policymaking process, actors, agencies and stakeholders (Mukonza 2014). In short, the policymaking process from the 1990s started to involve other players besides the traditional players such as the executive, legislature, judiciary and the bureaucracy. The new policy actors were civil society organizations, including Non-Governmental Organizations (NGOs) and private companies.

Consequently, the policymaking process in the 1980s and 1990s in Africa required governments and public officials to be more accountable to their citizens (Mukonza 2014). Besides, the massive reforms of the 1990s produced mixed outcomes. While some countries in Africa experienced a few setbacks with their democratic development, the overall political reforms in the 1990s have continued to improve in Ghana, Nigeria and Kenya. However, what is unclear is the extent to which post-colonial public administration in Africa mirrors post-colonial policymaking.

Post-colonial public administration in Africa

There is a match between Africa's public administration landscape and attendant policymaking processes. Even though at independence Africa was filled with the euphoria of freedom and hope, political leaders were also concerned about the realities of underdevelopment and legacies of colonial exploitation, which, in turn, shaped the practice of public administration (Olowu 2003). This reflected in the corresponding public sector reforms of post-colonial public administration. Ayee (2005) contends that a public sector is a tool for promoting development in post-colonial Africa. From the early years of the independence era in Ghana, Nigeria and Kenya, these governments recognized the importance of a robust public sector for modernization/industrialization agendas (Aryeetey and Kanbur 2017). For Lumumba-Kasongo (2011), Africa's centralized and decentralized models of public administration have largely shaped its post-colonial public sector landscape.

The centralized model was prominent immediately after the post-colonial period, while the decentralized model was more noticeable during the economic and political reforms in the 1980s and 1990s. The era of one-party political systems and military regimes (the 1960s–70s) also witnessed highly centralized public administration and policy systems in Africa. In this era, the public sector was subordinated to the ruling one-party states, as was the case under military regimes in Nigeria and the one-party system in Kenya. For some, the highly centralized administrative and policy systems have not been effective in performance because of lack of accountability/representation, indifference to the needs of the public and the accumulation of excessive bureaucratic power (Ayee 2005).

The decentralized model of public administration became the central part of the reform programs imposed on African governments by the IMF/World Bank in the 1990s. The market-friendly reforms of the 1990s also came with a reduced role for the state in national economic management as the state is now providing a favourable environment for the private sector to lead in economic activities (Ayece 2005). The decentralized model was strengthened with public sector reforms where state-owned enterprises were privatized in the 1990s, emphasizing good governance and participatory decision-making (Ayece 2005; Lumumba-Kasongo 2011).

The changes in the policymaking/administration landscape in Africa from the 1980s throughout the 1990s demonstrate different political systems, ideologies, policy actors and agencies (internal and external): for example, policymaking under military regimes like Ghana, Uganda and Nigeria, and those with nationalistic ideas like Tanzania and Zambia, respectively (Anyebe 2018; Koehn 1990). There is some resemblance of domestic actors (military-civilian councils) on display concerning policy actors and their role in shaping the policy process. The external actors and agencies' role, mainly the IMF/World Bank, should also be underscored.

Mukonza (2014) describes other policy actors and agencies as the new policy players, namely, NGOs and private companies. Ohemeng (2005) includes Think Tanks, who have also been engaged in the policy process since the 1990s. Policy activities by these actors and agencies show a strong resemblance with the theoretical ideas of policy entrepreneurship (Kingdon 1984). While lesson drawing does not appear to be pronounced, certain aspects of the theory in Ghana's success with its implementation of the SAP/ERP demonstrates lesson drawing process (Harsch 1993). The international community has also praised Ghana's democratic development as a model for other countries to emulate, illustrating elements of lesson drawing.

Conclusion and recommendations

While recognizing the modern value of policymaking and administration, it is equally important to underscore and learn from Africa's complex and past policy process and administration experiences before, during colonialism and after independence. This discussion shows that it is essential to understand the history of policy systems and processes in Africa. Thus, policymakers and stakeholders can devise more valuable ways of engaging in policymaking processes as they share ideas and inputs to develop appropriate policy solutions. There is a need to strengthen local administrative units to empower bottom-up policymaking mechanisms and effectively implement policies. Stronger partnerships and collaborations between government agencies, including levels of government and other organized groups (including informal structures) in society should be pursued and deepened to broaden decision-making on critical policy problems. Also, policymakers should establish mechanisms/channels for soliciting policy inputs by informal actors/institutions such as traditional chiefs or the council of elders.

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THE MEDIA AND POLICYMAKING IN AFRICA

A comparative study of economic development policies in South Africa and Nigeria

TK Pooe and Sysman Motlounng

Introduction

This chapter uses agenda-setting theory to explore the under-researched subject of whether the media in Africa, as the Fourth Estate, actually assists citizens to understand better and participate in public policy discourses, mainly, economic development policies. While it is understandable that historically the media fraternity in print media, television, radio and other newer forms has focused on the problems linked to the African political elite's actions (or inactions), this focus has neglected other areas of the State's internal operations. This is particularly evident when the twin processes of public policy development and its use to engage in economic development are examined in media discourse or Fourth Estate work. We present a comparative case study of Africa's two largest economies, Nigeria and South Africa, and selected news outlets. Our discussion derives from Kaspers' (2017, p.1) observation that The Fourth Estate, in a democracy, the media, performs several basic functions. Besides informing citizens on current events, their key responsibilities include discussing and clarifying complex issues of public interest, serving as a conduit between the government and the governed and holding governments accountable for their actions. Media outlets serve as arenas of public debate, as voices of the public and the government.

Three key ideas can be, therefore, inferred concerning the concept of the Fourth Estate. First, the form and type of media operating as the Fourth Estate is not a key consideration. Argued differently, even in this electronic age of Twitter, Facebook, WhatsApp and other forms of new-age media, the critical work of the media continues. Second, the primary means by which news or media outlets can be judged as a positive element of the Fourth Estate is an informative role in how the citizenry understands the political environment. Third, when the second function of media outlets is achieved, the final duty in acting as a positive Fourth Estate is to lay the foundations for a good public forum for engagement.

Even though multiple factors inform economic successes across Africa, Nigeria and South Africa are often cited besides their political, economic and regional clout in their respective regions. This chapter's proceeding discussion is organized as follows: The following section presents the Agenda-Setting theory that is used as the theoretical framework for this chapter. This is followed by providing a brief background of the interface between media and public policy in South Africa and Nigeria. The third section presents the methodology used to

review extant empirical material that forms the foundation of our analysis and discussion. This is followed by data analysis of the two cases before concluding with policy recommendations for strengthening the role of the fourth estate in public policy in Africa.

Theory: agenda-setting

According to Adams et al. (2014, p. 2), “the Agenda Setting theory of mass media communication attempts to determine how the popular agenda of the media affects society and attempts to explain why mass media has gained so much power over people’s thoughts everywhere”. Even though the degree to which new media (internet-based entities, online papers, Twitter, etc.) have had over, the critical discussions of society, primarily in the political arena, remain understudied, particularly in Africa (McCombs and Shaw 1972). However, the recent lockdowns on social media during local elections in Uganda may indicate their burgeoning influence in shaping policy narratives and political action across Africa. Still, ‘influence’ must not be equated with ‘mind control’ of citizens. Instead, it refers to an abundance of information that the mass public might not always have at their disposal when attempting to make decisions (Kamau 2016, p. 92). Therefore, in having the ability to act as a gatekeeper to final information, contends Kurt (1951), in the form of publications, broadcasting or viral spreading of information, has considerable power to hold the limited attention of political or even neutral citizens.

The second insight provided by the theory of agenda setting highlights the issue of attention. Dearing and Rogers (1992, pp. 1–2) stated that “an ongoing competition among issue proponents to gain the attention of media professionals, the public, and policy elites” exists. Although slightly related to ‘influence’, attention is a prominent feature of the agenda-setting theory in the current context where human attention is constantly being stretched. Focus on attention has even spurred multinational companies to place under the microscope its effect on its product offering and approach to work. The importance of attention in today’s multimedia is further highlighted by explaining that

digital lifestyles affect the ability to remain focused for extended periods [...]. The same devices used to get things done – PC, tablet, smartphone (or some combination) are now the gatekeepers of an infinite number of distractions and sources of instant gratification. (Microsoft 2015, p. 27)

This insight into how modern-day technology and information is hampering human attention is critical when one remembers that people, as consumers, will also influence decisions informing governments on complex socio-political and economic policy discussion/decisions.

The third feature of the agenda-setting theory, which is also becoming eminent in Africa, is its role in political communication (e.g., see, *Chapter 13*). Kim et al. (2017, p. 5), using the work of McCombs (2005) and Young and McCarthy (2009), explain this bias by claiming that “the original agenda-setting study examined elections. However, it is safe to say that agenda-setting theory has been applied not only to elections but also to [various] communication situations far beyond the original academic domain”. Therefore, while it has grown from the realms of Political Science to incorporate various Communication Science domains, this theory still primarily analyses the political features of the state. However, it has also gained substantial currency in policy studies. Accordingly, economic development has not been overly focused on when the Fourth Estate in Nigeria and South Africa is analysed to set the agenda via its different forms and facets.

In the next section, we briefly present South African and Nigerian contexts before analysing the Fourth Estate's reaction to the 2008 global economic recession/crisis and the current COVID-19 pandemic. We pay attention to agendas primarily brought to the fore by different media in Nigeria and South Africa. The guiding analysis looks into whether economic development policies were at the core of the Fourth Estate's communication.

Background: media and public policy in South Africa and Nigeria

In recent years in South Africa and Nigeria, the media has increasingly become critical for communicating, debating and channelling citizens' voice on public policy. In post-1994 South Africa, the media has become an invaluable tool for tracking economic development and policies. During the apartheid, the media was seen as a partner to the white minority government and citizenry, prompting the contemporary media to change its disposition (Jacobs 1999, p. 1). Thus, as the Fourth Estate in South Africa, the media fraternity views their primary existence as hawks by continuously checking on the government's actions or inactions, as demonstrated by the case of State-Capture during Jacob Zuma's presidency. Indeed, many of the Fourth Estate activities linked to the media revolve around how they (a) shed light on the infamous arms deal of the 1990s and numerous allegations of corruption by the political elite (Daniels 2010, p. 225); (b) highlight the State's weaknesses as it relates to political and economic corruption (Bruce 2014, p. 49); (c) have an adversarial relationship with the current government party, the African National Congress (ANC) (ANC 2012, p. 23).

Similarly, an analysis of the Nigerian political landscape reveals a somewhat similar but nuanced experience compared to South Africa. Much like South Africa, Nigeria survived British colonialism and the subsequent tactics that ensued, such as dividing and ruling through ethnic divisions and exploiting resources (Alozie 2020, p. 20). This historical analysis is important in knowing the current state of the Fourth Estate in Nigeria and other post-colonial countries in Africa. For example, the numerous military coups that animated the Nigerian political relationships with the media landscape make this point quite clear, as put by Ogbeidi (2012, p. 16) below:

Incontrovertibly, corruption became endemic in the 1990s during the military regimes of Babangida and Abacha, but a culture of impunity spread throughout the political class when democracy returned to Nigeria in 1999. Corruption took over as the engine of the Nigerian society and replaced the rule of law [This] was to the country's disadvantage. The civilian politicians, their allies in public institutions and collaborators in the private sector, particularly the financial institutions, were not better in corruption ratings than former Military President Ibrahim Babangida and ex-Head of State, the late General Sani Abacha.

This political environment undoubtedly influenced how the Fourth Estate in Nigeria operates to mitigate and oversee many of the political machinations by the political elite. While the Nigerian government acknowledges the media's work, it has a problem with its effective operations (Ojo 2003, p. 826). The Nigerian authorities intimidate and sometimes use outright violence against the media, especially in exposed corrupt dealings involving the political elite (Schauseil 2019, p. 8).

Further to this, the Fourth Estate's relationship with the political elite in Nigeria and South Africa is characterised by two key elements. First, the political elite tends to view themselves as above public scrutiny and have a problem being held accountable for their actions. Second, due to the nature and form of the relationship, the Fourth Estate in South

Africa and Nigeria is fixated on holding the political elite accountable in the political arena. These two defining characteristics are the primary means by which the Fourth Estate and political elite operate. However, while it is vital to have this system where the Fourth Estate can report on the actions of the political elite, a critical element has been missing from the *modus operandi* of the Fourth Estate in both countries.

Methodology

The selection of reviewed publications

Three key factors inform the choice of the four publications (see Table 17.1) to explore and answer the guiding question: *Does the Fourth Estate in South Africa and Nigeria situate economic development in public policy at the core of its communication?* The first point is the consideration, size and influence of the platform. In their respective states, all four publications have a large readership in Nigeria and South Africa. For instance, the *Daily Sun* is read by 5.6 million people and has circulated about 295,000 since 2014. One copy is often shared among numerous family members and colleagues (News24 2014). Second, two of the four (one from South Africa and Nigeria) aim to actively focus on non-local (or international) news stories. This is undoubtedly the case for South African *Business Day* (Karodia and Soni 2014, p. 57) and *The Vanguard* of Nigeria (Aimufua 2007, p. 14). Third, all four publications have a sizeable online presence and are not limited to only one form. This dual existence means all four publications can stand by their mission statements given in Table 17.1 through a traditional and online presence for their respective consumers.

As a multifaceted policy image, economic development is “a government institution-led/ guided policy process concerned with ensuring development [to] address various economical problems. These problems include unemployment, human capital development, growth of individual and company wealth, and the development of physical structures to complement

Table 17.1 Chosen news publications/sources

Name of news source and country	Stated mission of news source/outlet
<i>The Punch</i> (Nigeria)	“ <i>Punch</i> is reputed as Nigeria’s most widely read newspaper. Although conservative concerning its funding models and in-country media partnerships, <i>Punch</i> ’s journalism is leftist, the paper boasting an endless list of hard-hitting editorials against both civilian and military governments” (medialandscapes.org 2020).
<i>The Vanguard</i> (Nigeria)	“It aims to serve the people through an unflinching commitment to free enterprise, the rule of law and good governance. <i>Vanguard</i> is one of the leading newspapers in Nigeria today. <i>Vanguard</i> is a family-oriented newspaper which also appeals to the upwardly mobile executive and captains of industry” (vanguardngr.com 2020).
<i>Daily Sun</i> (South Africa)	“ <i>Daily Sun</i> is the biggest (and loudest) daily newspaper in South Africa. With its targeted delivery of current affairs, sports, community news and supplements, <i>Daily Sun</i> offers news of the people, to the people! In print and online, <i>Daily Sun</i> ’s unique voice represents the heart of the nation” (News24. 2014).
<i>Business Day</i> (South Africa)	“ <i>Business Day</i> is South Africa’s most influential and respected daily newspaper, offering incisive coverage of business, politics, labour and other current affairs ... <i>Business Day</i> readers are the high achievers of South African business” (Business Intelligence 2012).

these endeavours” (Pooe 2017, p. 11). While newspapers and many news outlets refer to Gross Domestic Product (GDP) and relate it to the private sector, it is essential to note that GDP should not be used as the sole measure of state and economic performance.

Analysis

Case 1: Nigeria

An analysis of the Nigerian economy takes two forms. First, an analysis of the 2008 world economic recession using stories from the selected newspaper publications concerning Nigerian oil and gas (see Table 17.1). Second, a post-2014 recession analysis of the Nigerian state concerning the broad Nigerian economic synopsis of post-2015 (Table 17.2). This two-sided analysis reveals three things concerning the Nigerian Fourth Estate: *The Vanguard* and *Punch* newspapers. We choose the Nigerian oil and gas, including some non-energy sectors, for this analysis to bring a nuanced interpretation of the Nigerian economy. This is shown in the two articles of *Punch* ‘Reportage and its effect on promoting agricultural development in Nigeria’ (2011) and ‘Investment opportunities in the pharmaceutical sector – Nigeria/Pakistan’ (2014).

The first analysis of the 2008 world recession period is that the two newspapers reacted to the crises in the energy sector but hardly conducted a deeper educational study of what it could mean for the average Nigerian and the informal sector. This work is usually performed by academic, international multilateral institutions (e.g. Duminy 2011, p. 22). Second, neither of the periods given in Tables 17.1 and 17.2 made a point of examining how post-oil and gas Nigeria could and should look like. In other words, the Fourth Estate hardly pushes government institutions to re-imagine the Nigerian economy, with only one news story touching on this point, the 2017 story from *Punch* ‘Diversifying or decentralising the Nigerian economy?’. This is particularly important when the Fourth Estate of other oil and gas countries such as Qatar (Blundell 2009) and some research entities (e.g. Ulrichsen 2015, p. 171) shape the idea of a post-oil economy into the public consciousness. Third, neither of the two newspaper stories or agenda-setting narratives cited here sought to challenge and

Table 17.2 2007–15 Nigerian oil and gas

News source/outlet	Headline and year
2009. <i>The Vanguard</i>	Onne Oil & Gas zone in Rivers State is a rip-off-PENGASSAN.
2010. <i>Punch</i>	NNPC spends \$1bn on refineries in eight years.
2011. <i>Punch</i>	Newspaper reportage and its effect towards promoting agricultural development in Nigeria.
2011. <i>The Vanguard</i>	Nigeria’s crude oil production rises to 2.6 m barrels daily – FG.
2011. <i>The Vanguard</i>	Redefining DPR’s role in Nigeria’s oil, gas sector.
2011. <i>The Vanguard</i>	Nigeria’s crude oil to dry up in 37 years, except ...
2012. <i>The Vanguard</i>	Oil and gas in Africa: Boom or doom?
2013. <i>The Vanguard</i>	Nigeria: Privatizing oil and gas pipelines (1).
2013. <i>The Vanguard</i>	Oil: The conspiracy that robs Nigeria of billions of dollars.
2013. <i>Punch</i>	Why did China’s infrastructure for resources deal fail in Nigeria?
2014. <i>Punch</i>	Investment opportunities in the pharmaceutical sector – Nigeria/Pakistan.
2014. <i>The Vanguard</i>	The North and funding of the Nigerian oil industry.

Source: *The Vanguard* (2007–14) and *Punch* (2008–14).

moved beyond their rudimentary analysis of the Nigerian oil and gas sector's predominant reactionary narrative of post-recessionary stories as presented in Table 17.2.

Case 2: South Africa

The South African economic development analysis using the 2019/2020 COVID-19 pandemic reveals three points, similar to Nigeria, but takes a different form in all but two points. First, from *Business Day's top 10 economy stories of 2019* (Table 17.3), *Business Day* did not closely follow the Province of Wuhan's capital Hubei, where the COVID-19 narrative was taking shape. Second, while stories from the *Daily Sun* (Table 17.4) reflect the inclination of the tabloid nature of the publication, it presents a problematic development. First, the newspaper's readership could have been better served by the newspaper if it had covered the possible fallout for its working-class readers and buyers. It could have taken the route of *The Guardian* in the United Kingdom that reported that COVID-19 could hit the non-degreed workers/working class the hardest (Makortoff 2020).

Third, stories over the coronavirus and the economy detail the same error the Nigerian newspapers made. This error can considerably be a reaction to the fallout of COVID-19 pandemic and not as the development of a possible economic development story to challenge

Table 17.3 Broad Nigerian economy synopsis post-2015

News source/outlet	Headline and year
2011. <i>The Vanguard</i>	Nigeria's Economy Beyond 2011 Elections.
2015. <i>The Vanguard</i>	Buhari plans diversification of Nigeria's economy in 2016 budget.
2015. <i>The Vanguard</i>	Bloomberg projects Nigeria among top 20 economies by 2030.
2015. <i>The Vanguard</i>	Nigeria economy collapsing gradually, CSOs tell Buhari.
2015. <i>Punch</i>	Top 10 Nigerian Banks With Exposure to Oil and Gas Sector.
2015. <i>Punch</i>	The Oil War in Niger Delta, Nigeria.
2016. <i>Punch</i>	Developing knowledge economy in Nigeria.
2017. <i>Punch</i>	Nigeria's economy will be better in 2018-Fitch, economists.
2017. <i>Punch</i>	Diversifying or decentralising Nigerian economy?
2018. <i>Punch</i>	Nigeria needs a president who understands economy – Obasanjo.

Source: *The Vanguard* (2008–2014) and *Punch* (2008–2014).

Table 17.4 *Daily Sun* stories from May to September 2020

Publication and year	Title of story
<i>Daily Sun</i> . 2020	The total number of deaths is 15,086.
<i>Daily Sun</i> . 2020	Samaritan with sanitiser.
<i>Daily Sun</i> . 2020	Varsities up for more students.
<i>Daily Sun</i> . 2020	Covid-19 diabetes hypertension most common in people who died
<i>Daily Sun</i> . 2020	Gauteng accounts for 36 of Covid-19 cases in SA.
<i>Daily Sun</i> . 2020	Cyril, we have a right to drink.
<i>Daily Sun</i> . 2020	Corona hits Pikitup workers.
<i>Daily Sun</i> . 2020	Six interesting coronavirus conspiracy theories.
<i>Daily Sun</i> . 2020	Fears for a second wave of coronavirus hitting China.
<i>Daily Sun</i> . 2020	Corona corpses wrapped with up to five bags.

Source: *Daily Sun*: Corona in Mzansi.

the government and private sector in South Africa to think about an economic trajectory for forging a national development plan. This contention was not without evidence when other regions' newspapers were read. For instance, the *Business Times* of Singapore routinely has stories projecting what might happen in different areas under headings such as 'Precision engineering is a growth industry for Singapore: Chan' (Leow 2020) or 'Millionaires would pay up under Biden's tax plans, study shows' (Business Times 2020; Tables 17.4–17.6).

Table 17.5 Business Day's top 10 economy stories of 2019

1. The unprecedented levels of load-shedding early in the festive season reiterated that SA's most serious economic challenges will persist in 2020 ...	2. Shortly after the medium-term budget policy statement, Moody's Investors Service gave the Finance Minister three months to come up with concrete plans to stabilise SA's debt ...
3. President Cyril Ramaphosa's administration was initially welcomed by the business sector ...	4. Despite an apparent skills shortage in SA, the President believes the country can create its own Silicon Valley ...
5. As SA's economy is yet to show any signs of serious growth, unemployment has risen to an almost record high ...	6. In the winter of 2019, the SA Reserve Bank showed signs that it might lower interest rates ...
7. Many sectors struggled to show signs of growth in 2019. According to Stats SA ...	8. In many instances, politics gets in the way of business in SA ...
9. A month after President Cyril Ramaphosa was elected back into office, largely with the hope that he would tackle the country's financial problems ...	10. At the end of October, the Finance Minister painted a sobering picture of SA's financial situation ...

Source: Businesslive.co.za 2019.

Table 17.6 Selected Business Day stories over the coronavirus and economy

Title of article from 2020	Sub-heading from newspaper
How the coronavirus is killing SA's economy, one small business at a time	What happens when a country stops? SA will find out on Friday when its three-week lockdown begins. Time will tell whether South Africans obey grimly like the Chinese, sing from their doorways like Italians, or find their own unique expression of <i>ubuntu</i> . So far, the outbreak seems to be bringing out the best in the country's leaders and most of its people – but the economic pain has yet to bite
Don't let Covid-19 kill SA's cultural sector and its economic value	Cultural and creative industries are being recognised for their contribution to GDP, job creation and innovation
More relief needed to address Covid-19 economic damage says Michael Sachs	From a fiscal and economic point of view, we are closer to the end of the beginning rather than we are to the beginning of the end
Can we create the SA we want to live in after Covid-19?	SA's historical imbalances have not disappeared so we need a clear national purpose to define future economic strategies
A guide to flattening the Covid-19 curve – not the economy	SA urgently needs to ease the lockdown restrictions, which are among the most severe globally, writes Arshad Abba
IMF slashes forecast for the coronavirus-ravaged world economy	Global recovery will be much slower than expected

Source: Businesslive.co.za. (2020).

Conclusions and recommendations

This chapter has demonstrated that despite the recent good work by the Fourth Estate (media fraternity) in Africa to hold the government accountable and informing society, there is a need to understand how economic development and public policy processes operate. Therefore, Fourth Estate should increase efforts to educate the populace about the twin economic development processes and public policy. This can take the form of having (i) *dedicated sections in media platforms detailing why, when and how government and the private sector make key decisions on natural resource usage* and (ii) *which types of company or given mining rights, government licences and the like*. With time, such analysis may provide essential leeway for educating citizens to become active shareholders in locally and foreign-owned companies (see *Chapter 32*). This may promote sustainability and good governance of public affairs concerning taxation and corporate social responsibility.

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PART IV

Understanding policy reforms in Africa



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PUBLIC-PRIVATE PARTNERSHIP AND PUBLIC POLICY IN AFRICA

Joseph Okeyo Obosi

Introduction

Public-private partnerships (PPPs) have risen from an emerging alternative form of service delivery in the 1990s to Africa's core public service delivery model. It has covered all sectors, and at times it has been seen as a solution to public sector reform failures. Unfortunately, like most models of public service delivery or policy tools it has not succeeded in reversing the losses in all cases. The differences in the application of PPP strategy have ranged from model, duration, responsibility to purposes for which it has been set, leading to different expectations. In some instances, even the conceptualization of the PPP has been quite different hence bringing prejudice to the expectations. It would not be strange to see policy actors treat PPP as privatization, therefore unrealistic expectations. These are some of the perceptions that have brought to question the policies surrounding PPP. Should it be done at the sectoral level or the macro level? Should it be a top-down or bottom-up approach? Irrespective of the approach used, it is noteworthy that PPP has come in as an alternative after Public and Private Service delivery systems. To understand these dynamics, I present a comparative analysis of the existing literature on PPPs to address the question of what works and why. Doing so looks at different conceptualizations of PPP and the experience of PPP in the water sector in Africa. In the next section, I will delve into the conceptualization of PPP and PPP policies. This is followed by a discussion on the policy effectiveness of the PPP model in water management in different countries across Africa, the accruing challenges, and conclusions.

Conceptualization of PPPs

PPPs have had different meanings. Some see PPP as a new governance tool that will replace the traditional contracting method in public service delivery through competitive tendering. Others see PPP as a new expression in the language of public management, one intended to include older, established procedures of involvement of private organizations in delivering public services (Linder 1999). Others use the terms “contracting” and “public-private partnership” interchangeably. Greve (2014) has broadly categorized PPP conceptualizations into two – a group that regards PPPs as forms of institutional and financial arrangements, and the other that sees it as basically a “language game”. PPPs as institutional and financial

arrangement category view both the private and public sectors as having specific qualities that result in better services/products. The implied argument is that a synergy of the effectiveness of state bureaucracy and the efficiency of the private sector shall yield improved quality of public services and goods by infusing market principles.

Public management scholars like van Ham and Koppenjan (2001) define PPP as cooperating with durability between public and private actors. They jointly develop products and services, and share risks, costs, and resources connected with these products. Linder (1999) and Teisman and Klijn (2002) argue that the language of PPPs is a game designed to “cloud” other strategies and purposes. One such purpose is privatization and the encouragement of private providers to supply public services at the expense of public organizations themselves. Savas (2000) argues that “contracting out” and “privatization” are expressions that generate opposition quickly.

Conversely, expressions such as “alternative delivery systems” and “public-private partnerships” invite more people and organizations to join the debate and enable private organizations to get a market share of public service provision. Thus, Teisman and Klijn (2002) and Savas (2000) all agree that the use of the term “public-private partnership” must be seen concerning previous, more pejorative terms, such as “contracting out” and “privatization”. It is, therefore, common to find several governments avoiding using the terms like “privatization” and “contracting out” in favour of partnerships (Hodge and Greve 2007).

Partnerships are in many different types and sizes. The boundaries between public and private are sometimes blurred in public service delivery, making PPPs challenging to classify and define. Some scholars have used it interchangeably with the terms commercialization, privatization, and liberalization. It is important to note that privatization, commercialization, and liberalization are three different concepts. Commercialization refers to the public sector of private sector management practices, such as commercial practices and goals, management, and organizational styles drawn from the private sector (Bakker 2003a).

In economic terms, privatization is the transfer of ownership and/or management of supply of goods and services from the public sector to the private sector, and this includes the total or partial sale of assets by the state; the transfer of assets to the private sector under leasing arrangements; and management contracting arrangements. Neither privatization nor commercialization necessarily implies liberalization (or deregulation), introducing competition and removing laws and regulations restricting market competition. For instance, in England and Wales, water companies remained monopolies even after privatization (Bakker 2003b). Despite this confusion, this chapter uses Akintoye’s definition of PPPs to refer to any “contractual arrangement between a public sector agency and a for-profit private sector concern, whereby resources and risks are shared for delivery of a public service or development of public infrastructure” (Akintoye et al. 2003). This can take various forms ranging from service contracts to full privatization.

Methodology

The study adopted the desktop method to identify relevant literature on PPPs and the implementation of PPPs in Africa, especially in the water sector. The target was information on success cases, failed cases, and country-specific policies. The assessment involved comparing the implementation strategies and outcomes to draw similarities and contrasts. Country-specific examples presented demonstrate PPP policy outcomes in the specified countries to explaining why some PPP policies and models/forms have succeeded or failed in particular regimes than in others.

PPP policies

There is no fixed terminology for the forms taken by PPPs. Scholars have used different features to describe and classify PPPs depending on what is being emphasized. Some classifications also have disciplinary biases. For example, economists emphasize economic relationships, while political scientists and public administration scholars emphasize political and governance relationships. Skelcher (2009) identifies five forms of PPPs: public leverage, contracting out, franchising, joint ventures, and strategic partnering.

Though mainly used in water sectors, the following ten (10) types of PPP shown in Table 18.1 apply to other sectors. This ranges from Public Enterprises where the asset ownership, management, tariffs regulation are all under statutory control, followed by Public Limited Company (PLC), Service contract, Management contract, Affermage contract, Lease contract, Concession contract, Built-Operate-Transfer (BOT), Joint Venture, to Divestiture. In divestiture, other than quality monitoring in the public's hands, all other controls, including asset ownership, capital, management, and tariff regulation, are under private control, as illustrated in Table 18.1.

Although some PPP forms, like contract and lease management, might resemble privatization, they are not the same. PPP falls between public enterprises at one end of the continuum and divestiture at the very extreme end. It is divestiture, which for all practical purposes, involves privatization. Privatization occurs with any introduction of private sector participation in the ownership and/or control of a water service institution. To K'Akumu (2006), the more the private sector is involved in the ownership and control of a water institution, the more private sector-oriented it becomes. Forms of privatization differ in the magnitude to which they move ownership, finance, and accountability out of the public sector and into private sector hands: for instance, with a service contract (operations, management, and sometimes leases), a government subcontracts operations and maintenance for some time (typically five to seven years). The government pays a predetermined fee for the service and sets a performance standard to be met. There is no implied financial risk for the private contractor or responsibility for investment. However, under a leasing arrangement (the French "affermage" system), companies may be responsible for network maintenance, involving significant expenditure.

In contrast, with a concession, which usually lasts 20–30 years, the private contractor has full responsibility for all capital and operating costs. In return, the contractor receives all revenue and is the residual claimant (receiving whatever is left from the income after all other expenses have been deducted). The tariff level is established by the concession contract with specified performance targets. Assets are returned to the public utility at the end of the contract, and the private firm is compensated for its own investment that is not fully amortized. Finally, full privatization is the same as a concession but with a transfer of assets to the private sector, rather than the more lease-like arrangement of a concession. It is worth noting that the public sector remains responsible for regulation and monitoring performance (see Table 18.1). Thus, privatization does not necessarily result in less government regulation. The following section considers the implications of the conceptualization and PPP policies on the PPP model's policy effectiveness in the water sector in Africa.

The case of PPP in the water management policies

This section identifies various PPP policies that have been applied in Africa by different governments on the basis which present an analysis of the utilities of the policies as implemented.

Table 18.1 A continuum of PPPs in water enterprises

Classification	A1	A2	B1	B2	B3	B4	B5	C1	C2	C3
Responsibility/form	Public enterprise	Public PLC	Service contract	Manag. contract	Affirm. contract	Lease contract	Concess. contract	BOT	Joint venture	Divestiture
Asset ownership	Public	Public	Public	Public	Public	Public	Public	Private	Private	Private
Tariff regulation	Public	Public	Public	Public	Public	Public	Public	Public	Public	Public
Capital investment	Public	Public	Public	Public	Public	Public	Private	Private	Private	Private
Cost and quality	Public	Public	Public	Public	Public	Public	Public	Public	Public	Public
Monitoring	Public	Public	Public	Public	Public	Public	Public	Public	Public	Public
Utility management	Public	Public	Public and private	Public & private	Private	Private	Private	Private	Private	Private
Operations and maintenance	Public	Public	Public and private	Public and private	Private	Private	Private	Private	Private	Private
Working capital	Public	Public	Public	Public	Private	Private	Private	Private	Private	Private
Commercial risk	Public	Public	Public	Public	Private	Private	Private	Private	Private	Private
Contract duration	Unlimited	Unlimited	1–2 years	3–5 years	8–15 years	8–15 years	20–30 years	20–30 years	Indefinite	Indefinite
City/country examples	Original set-up	Netherland, Poland, Chile	Mexico City, Uganda	Johannesburg, Monagas State (Venezuela), Gambia	Côte d'Ivoire, Senegal, France, Guinea	Mozambique	Buenos Aires, Manila, La Paz, Nelspruit	San José, Sa'o Paulo, Cancun	Colombia, Czech Republic, Hungary, Poland,	England and Wales
Public										
							High			

Popular participation
Autonomy

Source: Adapted from Obosi (2013, p. 4).

Commercialization refers to “a networking of the management institutions (rules, norms, and customs) and entails the introduction of markets as an allocation mechanism, market stimulating decision-making techniques and the displacement of Keynesian-welfare state principles in policymaking” (Bakker 2003a). It is, therefore, a way of transacting business that may be introduced under public or private enterprise. According to Prasad (2006), privatization is a political strategy that creates new rules and allocates rules among the state, the market, and civil society.

There are four types of privatization: *ideological* (less government), *populist* (more government), *pragmatic* (effective solutions), and *commercial* (more business). It is important to note that PPPs, irrespective of the form adopted, usually imply some form of reduction of state/public involvement in the management, ownership, and provision of public utilities and services by introducing privatization principles as discussed in the next section. Although different countries follow different public and private sector involvement modes in public utilities, a common trend was observed across the range of country contexts examined. There seems to be a consensus among policymakers and experts that the government should disengage from utility sectors like electricity and telecommunications but not water services. Water is seen as unavoidably social and evokes political emotions like no other issue (Prasad 2006).

Similarly, privatization and other private sector participation in water services tend to be associated with neo-liberal reform strategies, emphasizing the importance of the market, fiscal discipline, trade, investment, financial liberalization, etc. The reduced role for the state is the end. Therefore, it targets a limited welfare state, flexible labour market, and restrictive fiscal policies that prioritize traditional social policies. It was hoped that private sector participation would bring in much-needed investment, increase access, and improve the quality of water supply in the developing world in the same way it did to the developed world.

The private sector involvement in the provision of water services has also been controversial, attracting three different schools of thought (Prasad 2006). First, there is a group dominated by major international financial institutions like the World Bank arguing that since the government has failed to provide access for everyone, it is worth turning to the private sector and market principles to solve the problem. The second group argues that water is a common good whose supply should not be in the hands of the private sector since it should never be treated as a commodity-based on market principles being the essence of life itself. This school of thought holds that access to water is a human right, and the government must provide such a vital resource to everyone. The third group believes that better services should consider water as an economic good and a human right at the same time. The third group's position has given rise to the PPP in water supply by emphasizing both access and sustainability. Practically, water supply should not be left to any sector but in a partnership to realize a synergy. Individuals, community groups, private firms, and the state are welcome to form partnerships to enhance water services.

Performance of different models of PPP in the water sector in Arica

Generally, two main models exist in the water sector: the English model of full privatization, where ownership and management are private and the French model of delegated management (lease and concession contracts). In the latter, the ownership is in public hands, and the management is a mix of public and private systems. The English model occurs mainly in England and Wales. In contrast, the French model, primarily promoted by the World Bank, has been exported in various forms to other developed and some developing countries.

Private water infrastructure projects in developing countries increased in the 1990s with a peak in 1997 and have declined since 1999, somehow following the shifting policy paradigms

in Africa. The trends in developing countries show that water projects became smaller in 2001–04 than 1995–2000 and involved more management contracts than concession or lease contracts. The average annual investment flows in water utilities decreased from US\$3.6 billion in 1995–2000 to US\$1.1 billion, while the annual number of projects changed from 28 in 1995–2000 to 27 in 2001–04. The number of lease contracts fell from 19 in 1995–2000 to 9 in 2001–04, while management contracts increased from 10 to 18. Similarly, concessions declined in both number and size. By the end of 2007, it was more than 220 active water PPPs in 41 developing countries (Marin 2009). Water PPP projects have been developing differently, depending on the country or region, responding to the specific features of reforms, country risks, financial markets, and the local political economy.

In practice, the performance of a PPP project depends on the actions of both the private operator (PO) and the contracting government, with the government playing a more or less important role depending on the PPP scheme adopted. Large countries like Algeria started to rely on private water operators on a large scale. In over 260 contracts awarded since 1990, 84% were still active at the end of 2007. Only 9% had been terminated early.

In Africa, approximately half of the PPPs awarded have either been terminated early or expired with a return to public management. It is also noteworthy that most of the cancelled PPPs in Africa were for combined power and water utilities, in which water was a secondary activity. The rate of active projects for combined water and power utilities is only about 20%. Half of the contracts have been terminated early, contrasting sharply with the rate for water-only PPPs. About 90% of the contracts are still active (Marin 2009). The termination of contracts was seen in Chad, Comoros, The Gambia, Guinea-Bissau, Madagascar, Mali, Rwanda, and São Tomé and Príncipe.

Different countries have used different PPPs, and it is not easy to have a comprehensive assessment of the performances. It is, however, possible to assess in individual country contexts. Generally, the Affermage contract type has been used mainly in Francophone West Africa. Other African countries, including Namibia, Congo, Zambia, Uganda, and Tanzania, have used commercialization referred to by Schwartz (2008) as the New Public Management approach. The affermage approach, with investment carried out by a public asset-holding company, has been very successful, resulting in expanding access in Sub-Saharan Africa, particularly in Senegal and Côte d'Ivoire. In the latter case, 3 million people have gained access to piped water through household connections since 1990, entirely financed through cash-flow generated from tariff revenues without government money (Marin 2009). In most instances, accessibility was assessed in terms of increased connections to piped water.

In Africa, privatization has not always resulted in increased access to water services in all cases. The reasons vary from one country to another. In Congo Brazzaville, failure by the central government to deliver the services through its centralized agency, the Societe Nationale de Distribution d'Eau (SNDE) [National Company for Water Distribution], paved the way for the liberalization of public services under the Structural Adjustment Programmes (SAPs) by allowing private sector participation in the delivery of public services. With connections being sublet to a general construction company, La Ge'neral des Travaux de Baitiments (GETRAB), the number of connections rose to 11 per day compared to 1 under SNDE, thus resulting in over 3400 connections to established networks in Pointe Noire and 2000 in Brazzaville after two years (Tati 2005). The success was attributed to reduced bureaucracy whereby the duration between application and connection time was reduced to 48 hours from between six months and two years when under SNDE (Obosi 2013).

After commercializing water services in Zambia, the accessibility to safe water rate decreased from 73% in 1990 to 53% in 2005. (Dagdeviren 2008). The access to piped water

remained a privilege of the urban population along the narrow railway from Livingstone to the Copper belt while the population of the households increased. The households that were not reached by the pipelines had to rely on alternative sources like boreholes, communal public taps built by NGOs, commercial utilities, and some solely by the communities to source water (Dagdeviren 2008).

What accounts for the success or failure of PPPs in the water sector in Africa?

Whereas some projects have been successful, others have failed across Africa. The reasons for failed projects have ranged from macro-economic and financial crises, policy failures, political and governance, contractual issues, and lack of regulatory mechanisms (Prasad 2006).

Policy failures

The intended policy should be contextualized within the appropriate pattern of social governance, failure to which it is doomed and could inevitably be rejected. This could explain the rejection of privatization of water supply policies in Cochabamba, Bolivia, and Mbombela in South Africa (Nickson and Vargas 2002). In contrast was the successful scheme in the City Council of Marinilla, Colombia, where the citizens directly participated in developing privatization terms and contracts between the council and the private water companies. In the case of Cochabamba, water concession projects in Bolivia were cancelled due to vested interests, combined with politics, lack of proper communication, and street protests (Nickson and Vargas 2002).

A study of ten cases of commercialization of water services in Zambia (Dagdeviren 2008) observed that the World Bank-sponsored management contract of water services in the copper belt mining towns of Zambia had to be reverted to a public utility, Nkana Water Service Company. This is because the performance under management contracts was no better than those of public companies. The unaffordability rate of water tariff in Lusaka, as measured by the ratio of household monthly expenditure to household income, increased from 40% in 2002 to 60% in 2006 using a 3% benchmark (Dagdeviren 2008). Due to most settlements' informal nature, most households in peri-urban areas depend on boreholes, communal, or public taps built by commercial utilities, NGOs, and donors. The management of the schemes for the water service provision in the informal settlements has taken various forms: solely by community, some are managed by communities in cooperation with public utilities, while others are managed by vendors (Dagdeviren 2008).

Governance

The governance arrangements are key to the success or failures of PPP. The essential role of government in all PPPs is defining the scope of business, specifying priorities and outputs, and setting the tools (through contracts, regulatory agencies, laws, market tools, etc.) for successful PPPs. Like all other collaborative public management arrangements for policy effectiveness (e.g. Leach 2006; Onyango 2019), incoherent and complex legal and institutional frameworks risk the quality and reliability of water provision, and PPP may fail. This is illustrated by the case of privatization of water services in Kenyan Local Authorities, in which five governance issues are identifiable: First, the reason why the water services have to be privatized; second, the identification of the service provider, and how the service provider is transferred from public to private providers; third, the impact of the water privatization on

the poor; fourth, the concern that the privatization of a public utility service delivery tends to shift accountability of service providers to policymakers rather than the service users, particularly where privatization grants service monopoly to a private provider (Obosi 2018)

As part of the government decentralization process and lessons from the implementation of rural water supply in Ghana, the rural and small town's water supply was decentralized to the Municipal/District Assemblies (Nyarko et al. 2011). Under the Community Ownership Management approach, small-town water services started in 1998 with over 100 systems from Ghana Water Company Limited (GWCL) to the Municipal and District Assemblies (DAs) and the construction of new systems by the DAs (Nyarko et al. 2011). Under the Community Ownership and Management approach, communities select their representatives from water and sanitation committees representing electoral areas in the communities to form the Water and Sanitation Development Boards (WSDBs) responsible for managing the water system.

Their study of five towns with piped water systems: Three under PO management and two under direct management by the WSDBs, Nyarko et al. (2011) found that the public-private operator partnerships for small towns' water service delivery in Ghana are increasing. The main drivers that triggered the public-private operator partnership are the size of the towns (i.e. Atebubu, Bekwai, and Mim) and the complexity (i.e. Atebubu) of the systems.

Macroeconomic and financial factors

The financial factors incorporating the cost of the commodity also impede the policy effectiveness of PPP policies. The private sector may face political difficulties when prices need to be raised, such as riots and protests by consumers and civil rights organizations. The high fixed costs of water systems lead to economies of scale that contribute to conditions of natural monopoly. Only infrastructure construction is competitive. Transportation, treatment, and distribution of water are all normally spatial monopolies. Since competition in the water sector is limited, it is unlikely that only a change in ownership or management will improve performance. Performance improvement are likely to introduce competitive pressure in the sector and the regulatory system, but hardly on the ownership structure. The success of PPPs depends on the support of consumers, as they contribute directly through fees or indirectly through taxes to financing PPPs. It is also important to have tools like legislative rules, monitoring schemes, and access-to-information guarantees to ensure high levels of transparency and accountability (Ouyahia 2006).

It is clear that regulatory mechanisms, whether through citizen-participation or statutory, are crucial to the outcomes of privatization. It is widely recognized that regulation and regulatory governance are key elements of development-policy thinking in promoting pro-poor market-led development (Kirkpatrick and Parker 2004; Kessides 2005). Using panel data and econometric model, Zhang (2005) demonstrates that establishing a regulatory authority and introducing competition before privatization result in better performance for the operator and the consumers. Kessides (2005), however, cautions that developing countries often have established regulatory mechanisms on paper but ineffective in reality.

The nature and scope of the PPP model

The model of PPP adopted by a given country determines the effectiveness of PPP policies. Governments have used different methods to transfer service provision from the public to private providers registering different experiences. Nelspruit city, South Africa, used the open tendering method to identify a private company to manage water services on a concession basis for an initial period of 30 years. According to the national government policy, the

Local Authority retained the role to regulate tariffs and set water and sanitation service quality standards (Cardone and Fonseca 2003). The water sector reform with private sector participation has taken different forms producing different results (Prasad 2006). The variants include complete privatization like the case of England and Wales; BOT/BOOT models in Mendoza–Argentina, Izmit–Turkey, Natal – South Africa; Service Contracts in Mexico City, Santiago, Madras; Management Contract in Cartagena–Colombia, Gdansk–Poland, Johannesburg, Mali; Lease Contract or affermage in Côte d’Ivoire, Guinea, and the Czech Republic; Concession in Buenos Aires, Manila, Cancun–Mexico, and Jakarta; and Joint Ownership. In Guinea, water privatization proceeded through a franchise arrangement where the government transferred urban water supplies to major cities, including Conakry, to a state-owned national water authority, the *Societe Nationale des Eaux Guineea* (SONEG), in 1989. SONEG invited private companies to bid for a franchise to operate and manage water services in the 17 urban centres.

In Mauritania, the government delegated water management in small towns to private providers called *Concessionaires* in 1993. Each *concessionaire* was expected to supply water to a community every year for those with diesel-powered systems and monthly for those with solar-powered systems under cost recovery principles where users pay for water consumed. In each case, the concessionaire only recovers maintenance and operation costs as the government meets the capital cost (Cardone and Fonseca 2003; Trémolet, et al. 2013).

Reforms in the Namibian water sector followed a similar path as in Zambia (with a government-owned company). The main difference was that the government-owned company, the Namibia Water Corporation (NamWater), has the task of providing bulk water to local distributors rather than being responsible for the whole service delivery process themselves. Also, in Tanzania, following the termination of the lease contract for the provision of water services in Dar es Salaam, reforms have been undertaken by the Dar es Salaam Water and Sewerage Corporation (DAWASCO). This includes the introduction of managerial incentives, comparative competition, and benchmarking and strengthening commercial and customer orientation. However, all the utilities have continued to display dependency on government and donor support, loans and subsidies for investments, and systems expansion raises sustainability concerns of the approach (Mbuvi and Schwartz 2013).

Politics

The privatization of essential services like water has often been politicized. When the political players are not involved, the affected group will usually frustrate the privatization efforts by mobilizing the citizens against it. The reverse is also true. For example, in Nelspruit, South Africa, a powerful alliance comprising the South African National Civics Organization, the South African Municipal Workers Union, the Youth League of the African National Congress, and the Congress of the South African Trade Unions tried to block the scheme. They claimed that the Local Authority was exacerbating inequalities and neglecting its responsibility to provide affordable essential services to the poor (e.g., Chikulo 2013; Alexander 2010). In Bolivia, public discord escalated into street protest riots leaving six people dead in Cochabamba. The protest was against handing over the privatized water service management to a Multinational Company, *Addt Agues Del Tunari*, owned by non-Bolivians. The Council and the company also negotiated a rate increase without involving the citizens who were the consumers.

The private sector’s involvement is heavily influenced by the political conditions, including changes in the public sector structures. In Ghana, the central government decentralized water service delivery to the Municipal/District Assemblies for rural and small towns (Nyarko et al. 2011). The role of POs has been in the management of the small town’s

systems, particularly those serving relatively big populations (more than 10,000) or those with fairly complex systems. The partnership between POs and the DAs for small towns' water services has increased since 2002. Before 1994, rural and urban water service delivery was responsible for the Ghana Water and Sewerage Corporation (GWSC), the formal government water utility. GWSC became GWCL, responsible for urban water supply.

Interventions from other development partners and humanitarian agencies

The government actions alone may not be enough. Where there are more partners, there appears to be a success due to increased interventions (see also *Chapter 35* in this volume). The Kenyan case depicts the following: First, many interventions have been realized in the water sector by actors ranging from state, development partners, community-based organizations, and NGOs. The challenge, however, remains how to coordinate and synergize the activities of the stakeholders for meaningfully improved water service delivery. Second, many initiatives are concentrated in the urban areas, leaving water provision in rural areas to community-based organizations, although urban water sources are in rural areas. Third, the government policy has given roles in managing water resources to non-water service providers and denied water service providers a role in water resources management from the national level to the grassroots level. Thus, the water resources managers manage water service provision processes, which they are less experienced and prepared for. Therefore, the results of any water supply service provider will depend on the interrelationships between the state, regulators, and citizens as consumers of the services, taking into account multi-dimensional interactions among the parties.

Conclusion

The governance of PPP has faced several challenges, including political and economic, and at times governments have been forced to cancel contracts as mitigation measures. Also, no particular form of PPP could be said to be one-size-fits-all in all circumstances but has had to do with several political and economic environments in a specific context. Even so, PPP has, on average, been responsible for increased accessibility, quality service, and affordability to water services even in the areas where their respective performances did not meet expectations. In a nutshell, it has emerged that whereas some forms of privatization are more successful in some areas, the same would record poor results in other areas and vice versa. It does not matter who controls the network, but it should be run like a business with equity principles. Thus, the policy should ensure the provider's financial viability, and the service provider should have the right incentives and degree of accountability to the general public.

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19

RATIONALES FOR AND POLICY IMPLICATIONS OF IMPLEMENTING SEMI-AUTONOMOUS REVENUE AUTHORITIES IN SUB-SAHARAN AFRICA

Matilde Jeppesen

Introduction

Following independence, revenue administrations in most sub-Saharan African states were part of the standard government hierarchy, commonly placed under the Ministry of Finance (MoF) and consisting of several distinct departments. This, however, started to change in the early 1990s when Semi-Autonomous Revenue Authorities (SARAs) were first introduced in the region. Such agencies combine all government revenue administration into one unified body, operating outside the government hierarchy with some degree of autonomy (Fjeldstad 2014, p. 186; Fjeldstad and Moore 2008). Often, revenue administrations are presented dichotomous as either being a SARA or not. However, SARAs are diverse administrations due to, for example, differences in implementation and degrees of autonomy. Therefore, SARAs should be understood as a continuum where some have more/less autonomy than others (Kidd and Crandall 2006, p. 13). These differences lead to why and how SARAs were implemented and what implications this has for their effect. Furthermore, it places SARAs within the larger public administration literature concerning non-majoritarian institutions such as central banks and regulatory entities (e.g., Gilardi 2002).

Since the 1990s, the SARA-reform has continuously spread throughout Africa, with the most recent implementation in Angola in 2015. Today, nearly half of all sub-Saharan African countries have implemented a SARA, and more might follow. However, what were the rationales leading to the implementation of SARAs? Have these rationales changed over time, and what are the policy implications of the reforms? This chapter delves into the development in public policy regarding revenue administrations. It focuses on the rationales behind implementing a SARA and the implications of their introduction. It first presents the emergence of the idea of SARAs and unravels the rationales behind governments' decision to take on the extensive endeavour of implementing one. Subsequently, it explores if the reform has improved revenue policy regimes and resolved the intended policy issues. This chapter includes descriptive statistics and builds on literature concerning public administration and SARAs specifically to inform these topics.

The idea of introducing SARAs

High public spending in state-led development coupled with slowing growth and rising debt called attention to the need for increased revenue in the 1980s. Insufficient revenue also demonstrated structural problems such as large informal sectors, sparse personal income taxation, wide-ranging tax exemptions, and administrative inefficiency caused by low compliance, patronage, and corruption (e.g., Van de Walle 2001). Consequently, tax reforms became central to public policy in many African states, initially as part of the Structural Adjustment Programmes (SAPs). In connection with the policy instruments identified in the Washington Consensus, the SAPs were loans provided by the International Monetary Fund (IMF) and World Bank to countries in high-debt economic crisis (Williamson 1990; Van de Walle 2001). Attached to these loans were conditionalities requiring recipient countries to adjust their economic policies to promote growth and macroeconomic stability. The Good Governance agenda refocused attention to the need for better institutions coinciding with the emergence of New Public Management (NPM) ideas about how public administration ought to be administered. Regarding taxation, this led to the notion that changing the institutions responsible for collecting revenue was necessary to improve revenue. The NPM principles offered a compelling argumentation for how the administration could be redesigned and became the main inspiration (Fjeldstad and Moore 2008, p. 3).

NPM proponents argued that states had become unnecessarily bureaucratic, overgrown, and overpriced without the effect to show for it. Their proposed solution was simple; limit the bureaucracy through privatization or introduce private sector management principles in the public sector. The creation of more autonomous state agencies separated at arm's length from politics and based on private sector principles such as result-based management, agencification, and performance pay would improve effectiveness (Hood 1991). The logic was that placing agencies outside the normal civil service scheme would change remuneration and hiring/firing practices, which would incentivise the employment of more qualified personnel and improve the possibility of dismissing inefficient or corrupt staff (Fjeldstad 2014, p. 186). Furthermore, agency management would improve by making agencies more autonomous and isolated from undue political interference and by unifying all revenue administration to ameliorate, for example, functionality and information-sharing issues (Devas et al. 2001; Fjeldstad 2014). This led to the idea of creating SARAs. A blueprint reform now existed, and a strong belief in the universality of the NPM principles led to a one-size-fits-all logic.

Rationales for implementing SARAs

While the idea of SARAs was based on an NPM logic, what were the rationales behind African governments' decisions to implement them, and have the rationales changed over time? Insufficient revenue is often presented as the initial issue prompting the idea of reform and poor revenue performance as the main rationale for reform. Nevertheless, poor revenue performance cannot alone explain reform efforts. Other rationales such as donor pressure, ineffective revenue administration, and policy diffusion also contributed to the emergence of SARAs.

Insufficient revenue

SARAs were originally presented to solve the structural and administrative problems in many African states and their increasing need for higher revenue following fiscal stress in the 1980s (Fjeldstad and Moore 2008, p. 11). However, while revenue performance might

have needed to improve and led to some reform-willingness, it cannot explain the reason for reform single-handedly. Thus, a problematic fiscal situation is not the sole rationale behind the SARA-reform (Devas et al. 2001, p. 212). As tentative evidence, this can be supported by comparing revenue levels of SARA-reformed countries to non-reformers, as presented in Figure 19.1. It becomes more evident when considering the timing of the implementation of SARAs as presented in Figure 19.2.

Figure 19.1 indicates that countries that have implemented a SARA have a higher tax revenue on average before the reform than countries that have not reformed. If poor revenue performance was the only rationale for reform, we should expect more (and perhaps other) countries to reform.

By a closer look at countries that have implemented a SARA, we see a small one-year drop in total tax revenue three years before reform adoption (see the argument for centring on legal adoption instead of operational commencement in Dom 2019). Nonetheless, this was only a one-year drop followed by an average increase surpassing the previous year's revenue level even before reform was adopted. Furthermore, the confidence intervals are quite broad, indicating a degree of uncertainty regarding the severity of the drop as it is an average. This suggests that a temporary decline in revenue performance cannot independently explain governments' decision to implement a SARA. Although insufficient revenue and the hope of increasing tax revenue have been drivers in some countries, such as Uganda, Angola, and Rwanda, the evidence presented here shows more to the story (e.g. Fjeldstad et al. 2020).

Consequently, while poor revenue performance is often presented as the main reason for reform, it cannot alone explain why some governments have chosen to implement a SARA.

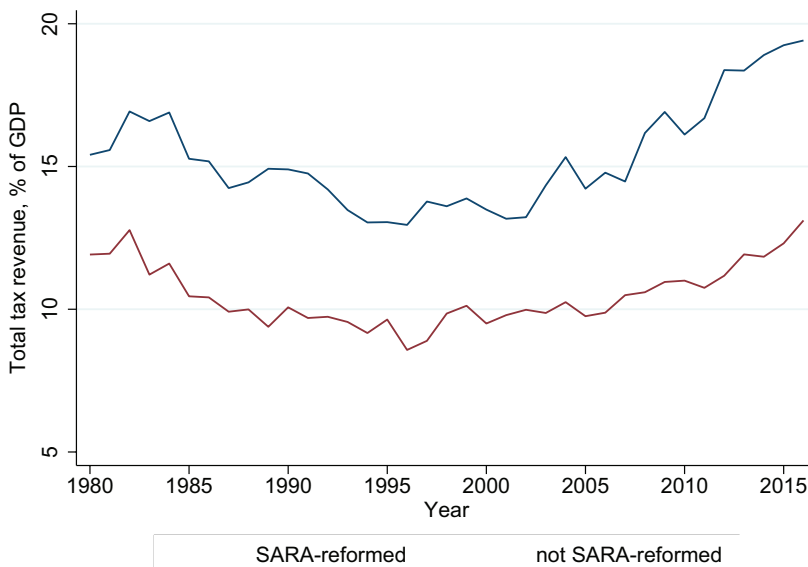


Figure 19.1 Average total tax revenue for SARA-reformed and non-reformed countries in sub-Saharan Africa

Source: Generated by the author based on data from ICTD/UNU-WIDER (2018). Total tax revenue is exclusive of social contributions and natural resource rents.

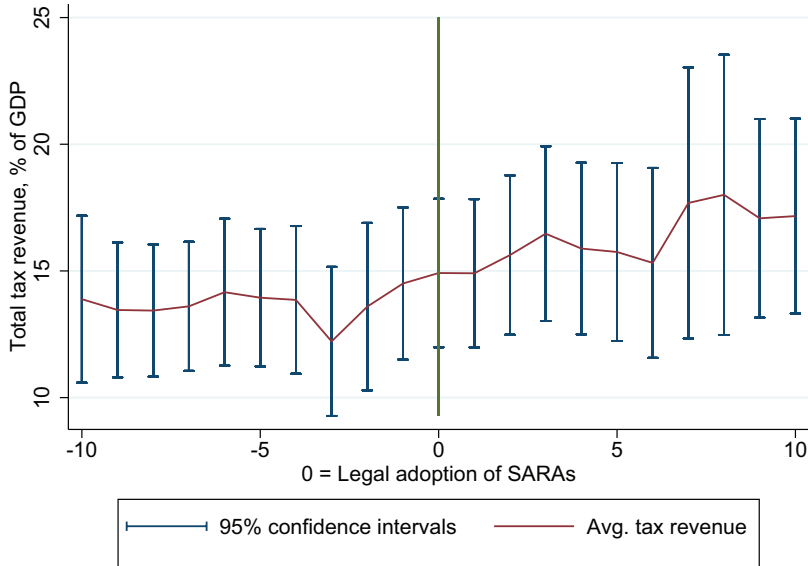


Figure 19.2 Tax revenue ten years prior/post-SARA-reform in sub-Saharan Africa

Source: Generated by author based on data from ICTD/UNU-WIDER (2018). Total tax revenue is exclusive of social contributions and natural resource rents. Similar to figures in Dom (2019) and Jeppesen (2020).

Donor pressure and external ties

The idea of implementing a SARA was based on NPM principles, and a key proponent of this line of thinking was the United Kingdom. Accordingly, the British development agency (ODA, later DFID, now under FCDO) was a strong advocate of implementing SARAs, along with the IMF and World Bank. Their support and advocacy was also a rationale for SARA-reform (Devas, Delay and Hubbard 2001; Fjeldstad 2014). This is apparent by the initially reforming countries and previous studies of SARAs, which show that primarily Anglophone countries implemented SARAs at the outset (Moore 2014). Many Anglophone Commonwealth countries, such as Tanzania, South Africa, and Zimbabwe, and countries with Anglophone ties, for example, through international organizations like Rwanda, reformed relatively early on. In contrast, Francophone and Lusophone countries like Burundi and Mozambique first implemented the millennium reform and are still relatively few in numbers. However, they include Togo and Angola, some of the newest reformers. Table 19.1 shows the period for the commencement and adoption of SARAs by countries across Africa.

Initially, there was thus a pattern of SARA-reform among countries with external ties to the United Kingdom, which enthusiastically promoted SARA-reform. The British development agency actively participated in the decision-making process, which led to implementing a SARA in several countries, for example, in Uganda and Zambia (Gray and Chapman 2001, p. 45). Support to reforming revenue administration was a large part of foreign technical assistance to African states in the 1990s and has continued to be so since with the assistance from additional donors (Fjeldstad 2014). In recent years, organizations such as the African Tax Administration Forum (ATAF) and the African Development Bank have likewise encouraged SARA-reform. The African Development Bank was, for example, a prominent supporter of reforming the Togolese revenue administration (Beach 2018,

Table 19.1 Operational commencement and legal adoption of SARAs in sub-Saharan Africa

Country	SARA	Law adopted	Operational commencement
Angola	Administração Geral Tributária	2014	2015
Botswana	Botswana Unified Revenue Service	2004	2004
Burundi	Office Burundais des Recettes	2009	2010
Ethiopia	Ethiopian Revenues and Customs Authority	2008	2008
The Gambia	Gambia Revenue Authority	2004	2007
Ghana*	Ghana Revenue Authority	2009	2010
Kenya	Kenya Revenue Authority	1995	1995
Lesotho	Lesotho Revenue Authority	2001	2003
Liberia	Liberia Revenue Authority	2013	2014
Malawi	Malawi Revenue Authority	1998	2000
Mauritius	Mauritius Revenue Authority	2004	2006
Mozambique	Autoridade Tributária de Moçambique	2006	2006
Rwanda	Rwanda Revenue Authority	1997	1998
Seychelles	Seychelles Revenue Commission	2009	2010
Sierra Leone	National Revenue Authority	2002	2003
South Africa	South Africa Revenue Service	1997	1997
Eswatini	Eswatini Revenue Authority	2008	2011
Tanzania	Tanzania Revenue Authority	1995	1996
Togo	Office Togolais des Recettes	2012	2014
Uganda	Uganda Revenue Authority	1991	1991
Zambia	Zambia Revenue Authority	1993	1994
Zimbabwe	Zimbabwe Revenue Authority	2001	2001

Source: Generated by author. Information from laws and official documents and scholarly work (e.g., Fjeldstad and Moore 2008; Dom 2019; Jeppesen 2020). *Ghana originally created three separate semi-autonomous bodies in 1985.

p. 227). Donor agencies, international organizations, and external partners pushing, promoting, and supporting reform efforts were a significant rationale for implementing a SARA (Fjeldstad and Moore 2008, p. 10).

However, while donor agencies and partners have influenced reform, there also seemed to be other rationales, which in some countries worked in interaction with donor pressure, and others had greater importance. Furthermore, countries such as Mauritius, Botswana, and Seychelles reformed despite being very aid-independent; therefore, other rationales must have dominated their decisions to implement a SARA.

Ineffective administration, credible commitment, and symbolic signalling

Although not always equally highlighted, there were often issues of ineffective revenue administration and a poor reputation in close connection to problems of insufficient revenue. While ineffective revenue administration undeniably affects revenue, it was in some cases presented as a larger concern than revenue levels. Many revenue administrations within the government hierarchy had poor reputations as corrupt and inefficient. Corrupt tax collectors forced taxpayers to pay bribes and harassed them if they did not pay, in this manner leading revenue away from the state into their own pockets (Fjeldstad and Moore 2008, p. 5). Particularly custom departments often had a bad reputation as highly corrupt. The burden

and cost of revenue collection consequently became unsustainably high and led to a lack of quasi-voluntary compliance, as well as decreased taxpayer equity (Devas et al. 2001, p. 213).

Moreover, the traditional civil service scheme, which previous revenue departments were governed by, effectively meant it was hard to attract competent workers and avoid corruption due to relatively poor salaries (Moore 2014). For example, in South Africa, establishing a large taxpayer unit in the previous administration had failed due to attracting competent workers to carry out the task (Taliercio 2004, p. 25). Some countries' civil service had extensive regulation or severance packages that made retrenchment of employees extremely costly, consequently making it difficult to fire unfavourable staff (Devas et al. 2001, p. 214). Therefore, the working and reputation of the previous revenue administration informed the decision to implement a SARA. In South Africa and Kenya, ineffective revenue administrations were among the central rationales behind reform (Devas et al. 2001, p. 213). In Angola, an inefficient administration and an outdated revenue system that needed modernization likewise prompted reform (Fjeldstad et al. 2020, p. 3); and right before SARA-reform in Burundi, the previous administration was named one of the most corrupt institutions in East Africa (Holmes et al. 2013, p. 5).

Given the ineffective administration, governments also wanted to increase legitimacy and create credibility to ameliorate taxpayers' quasi-voluntary compliance. With a poor reputation of revenue administration and distrust in governments, making a substantial change based on 'credible commitments' was needed to convince taxpayers to trust the revenue collectors and comply. For example, in Kenya, implementing a SARA allegedly limited politicians being pressured into giving favours in the form of tax exemptions by redirecting such requests to the newly created SARA in its initial years of operation. The introduction of a SARA was a way for governments to create credibility, which theoretically should limit political interference and create more rule-bound enforcement and more fair revenue administration, thus increase legitimacy (Fjeldstad and Moore 2008, pp. 4–5).

Similar arguments about 'credible commitments' are also emphasized in the literature regarding other non-majoritarian institutions, such as central banks and independent regulatory agencies (Gilardi 2002). A rationale regarding SARA-reform was accordingly to create credible commitments and symbolic signalling of change to taxpayers. These changes were to establish taxpayer trust in the new administration, consequently increasing compliance and revenue. However, some scholars have argued that such rationales might have been window-dressing and independently only played a minor role (Fjeldstad and Moore 2008, p. 10). Symbolic window-dressing, for example, seemed to be part of the rationale for reform in Angola (Fjeldstad et al. 2020, p. 2).

Another rationale for reform was symbolic signalling to external actors for many countries, i.e. to signal reform willingness to donors and financial institutions. Governments sometimes decided to implement a SARA to signal that they were serious about reform efforts, willing to listen to donors, and prepared to cooperate (Fjeldstad and Moore 2008, p. 9; Moore 2014, p. 103). This rationale considerably overlaps with donor pressures and external ties and is somewhat hard to disentangle. However, sometimes reform willingness and signalling were less tied to donor pressure and more to organizational mimicry and diffusion.

Organizational mimicry and diffusion

Once SARAs were first introduced, it became an apparent and attractive option to other countries, and isomorphic mimicry became another rationale for reform. SARA-reform was presented as a solution with clear benefits and universal application. Despite not always based

on factual evidence, it made an appealing argument and opportunity for African governments. Some have even described it as a ‘fashionable approach’ that tempted other countries (Devas et al. 2001, p. 216). It might also explain why SARAs in many sub-Saharan African countries are formally somewhat similar, as there was little motivation to invent alternative administrative designs (Fjeldstad and Moore 2008, p. 10). This has been made even more evident in recent years. Countries such as Togo, Liberia, and Angola have also implemented SARAs, the reform on the table, instead of seeking alternative set-ups. However, this universality and isomorphic mimicry have been lately highly criticized (Grindle 2017, p. 19).

Diffusion and knowledge-sharing seems to have supported the rationale for mimicking the SARA-reform in other countries. For example, the suggestion to implement a SARA in Togo supposedly came from the Togolese Minister of Finance after a visit to the Rwanda Revenue Authority (Beach 2018, p. 227). Moreover, one of the rationales behind Burundi’s decision to implement a SARA was that it was the only member of the East African Community without one (Holmes, et al. 2013, p. 7). In relation, SARAs became appealing over time as an instrument to increase cooperation and knowledge between revenue administrations and staff independently. Staff likewise seemed interested in promoting SARAs as it offered them better working conditions and pay (Devas et al. 2001, p. 216). This has been highlighted by the close connection and knowledge-sharing between different SARAs in sub-Saharan Africa (Fjeldstad and Moore 2008, pp. 9–10) and the emergence of administrative communities and networks ATAF.

The interconnection of different rationales for SARA-reform

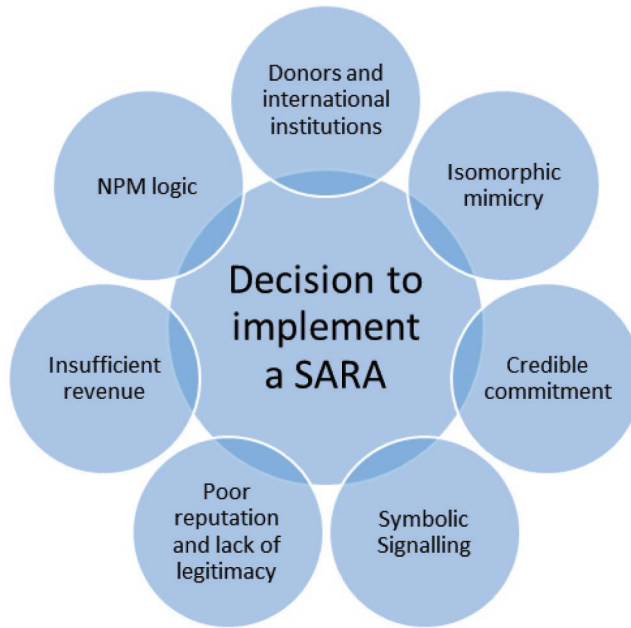
To illustrate the different rationales behind implementing a SARA in Africa, they were presented somewhat separately, although they are often overlapping. The rationales summed up in Figure 19.3 are the most highlighted and often used arguments for reform in the literature, although they may not be exhaustive.

In most countries, there were several interrelated reasons behind the government’s decision to implement a SARA. Poor revenue might have created a structural reason, but the window of opportunity that led to reform was, for example, donor pressure, diffusion, or a mixture of several rationales. Altogether, these led to the many implementations of SARAs we see in sub-Saharan Africa today. The specific rationales behind reform differ from country to country; nevertheless, there has been little change in the central rationales for reform over time. But after the decision to implement a SARA, what was the expectations for their effect and did SARAs deliver? A key policy expectation was that implementing a SARA would improve administrative efficiency and thus increase revenue. This was especially anticipated based on promoting the universality of the NPM principles and the theoretical benefits of reform. However, have SARAs lived up to these policy expectations?

Policy implications and the effect of the reform

Increased revenue and improved administration?

The believed benefit of SARAs to improve revenue had not manifested itself in reality, at least not broadly. Dom’s (2019) influential study finds that implementing a SARA has not increased total tax revenue on average. Jeppesen (2020) likewise finds no average effect on total tax revenue but a small temporary effect on direct tax revenue. Many other studies indicate divergent results of SARA-reform (e.g., Sarr 2016). This is important as revenue levels have



Source: Generated by author .

Figure 19.3 Sum-up of main rationales for implementing a SARA

large policy implications in terms of what is politically possible. It, for example, influences the possibility of delivering public goods.

Furthermore, this calls into question the value of implementing a SARA as it is a comprehensive, time-consuming, and expensive undertaking (Kidd and Crandall 2006, p. 53). It does not necessarily mean that SARA-reform is without benefits. It simply implies that it is not a quick-fix universally applicable means to increase revenue. The hoped policy implications of reforming the tax system instead vary. Besides, SARAs do seem to have addressed other issues, for example, attracting qualified staff. As with other reforms, this highlights the importance of political-administrative reforms and the significance of context. While there is no proof that SARAs will necessarily have the hoped policy implication of improving total tax revenue, there is evidence that the effect of SARA-reform is diverse (Kidd and Crandall 2006). In some countries, revenue appears to have increased due to reform, for example, in Malawi and South Africa (Sarr 2016). In other cases, before the reform, political and economic crises suggest that the reform has facilitated a reestablishment of pre-conflict revenue levels. However, this would have occurred without reform. For instance, in Rwanda, reform was preceded by initial increases in revenue followed by a decline to pre-conflict levels, wherefore, the effect of SARA-reform is somewhat ambiguous (Fjeldstad and Moore 2008; Sarr 2016).

Similarly, countries such as Uganda and Tanzania experienced an increase in revenue in the initial post-reform years that they could nonetheless not maintain (Fjeldstad 2003; Therkildsen 2004). These latter examples indicate that implementing a SARA can lead to some initial ability to raise revenue, which is nevertheless tricky to sustain. While these mixed and often limited revenue effects could indicate that the SARA-reform is inconsequential, it does appear to be very significant just for other reasons.

One benefit of SARA-reform is the improvement of professional networks among tax specialists and labour markets. This has led to a professionalization of tax specialists, which occurred by SARAs' ability to attract more competent workers. Furthermore, senior tax specialists have shifted between positions domestically, regionally, and internationally, increasing their career prospects, influence internationally, and their skills to serve domestically (Moore 2014). Indirectly, international organizations, mainly the IMF and OECD, have become more aware and attentive to African states' specific conditions and positions due to more specialists with an African background. Furthermore, communities between African tax specialists have been created, establishing forums for knowledge-sharing and learning (Moore 2014). ATAF is a prime example. Increased networks, professionalization and specialization also have further policy implications as it improves tax policy advice provided to governments. It has likewise been highlighted that SARA-reform often worked as a catalyst for additional tax reforms, thereby facilitating further changes and a better tax system (e.g. Fjeldstad and Moore 2008). But what in the implementation processes have led to these outcomes?

Improved quality of staff?

Creating SARAs was the NPM notion that new remunerations and new hiring and firing procedures would attract more qualified workers, thus improving staff and revenue administration quality. This seems to have had divergent effects in reality. In creating SARAs, the staff was often transferred directly from the old revenue departments into the newly created agency (Fjeldstad and Moore 2008, pp. 8–9). Since an issue with several of the previous revenue departments was ineffective employees and corruption, transferring staff seemed to be a missed chance of starting from a clean slate. In some countries, the staff was transferred on a trial basis, which initially made it easier to penalize and dismiss unfavourable employees; yet such procedures did not last over time. For example, Uganda Revenue Authority originally transferred all staff although employed on probation, and the Tanzania Revenue Authority could not maintain initial dismissal procedures for long (Therkildsen 2004, p. 70).

However, since domestic tax specialists in many cases were involved in the reform process, it is not surprising that benefits such as better pay have been stressed. Also, potential disadvantages such as control and dismissal possibilities have been neglected (Fjeldstad and Moore 2008). Nevertheless, countries like Zambia and Togo seemed to create staff turnover by making former revenue administrations reapply for positions in the new administration (Beach 2018, p. 228).

Furthermore, while employment remuneration often increased as the NPM principles prescribed, this was mixed effect and problematic. First, it did not always lead to less administrative corruption as expected; Tanzania is an example of this (Fjeldstad 2003). Second, the transferring of tasks paired with higher pay for SARA employees than civil servants in the MoF created tension and complications that could be undesirable for increasing revenue (Fjeldstad and Moore 2008, p. 13). For example, there was an initial good relationship in Uganda that turned conflictual and envious (Therkildsen 2004, p. 76). Nonetheless, a positive consequence was the increased attractiveness to qualified staff and a higher degree of professionalization, especially among senior staff. The quality of the staff has significant policy implications as it influences cooperation with the government, the public perception of the agency, and which tasks the administration can effectively undertake.

Autonomy as window-dressing?

Another central part of the SARA-reform was creating agencies outside the normal government hierarchy with some degree of autonomy. The important question is, therefore, how autonomous SARAs are de facto. In many countries, such as Zambia and Togo, the initial Commissioner-Generals (CGs) of the SARAs were expatriates. There are signs that the SARAs in these periods were more autonomous and performed better than later on (Von Soest 2007; Beach 2018, pp. 227–8). This is not to say an expatriate CG is preferable, but instead that an expatriate without domestic political ties might easier insulate the agency than one who is politically appointed.

Unfortunately, this is an issue in most SARA-reform countries in sub-Saharan Africa, as the CG is commonly appointed and dismissed directly by the president. In effect, SARAs may only vary, be insulated and autonomous from political interference, and depend a lot on political leadership (Fjeldstad and Moore 2008, p. 13). Sometimes autonomy may thus be more a matter of window-dressing. In such cases, it is not surprising that expected policy implications would succeed. The solution is not to hire expatriate CGs, but instead to change how some CGs are appointed and dismissed. A possibility is letting a governing board appoint the CG instead of the president and make it a permanent position instead of a fleeting appointment. Thus, the varying nature of SARAs' autonomy also explains some differences in their performance and policy implications.

Furthermore, many SARAs financially depend on annual budget allocations subject to political intervention (Moore 2014, p. 103). Allocating a percentage of revenue collected could make the SARAs more autonomous, often presented as a best practice (Mann 2004). Conversely, such financing can also create adverse effects by incentivizing SARAs to collect as much revenue as possible through inefficient and inappropriate means – similarly to harassment-like practices to reach targets (explained below). There is thus a balancing of political considerations when determining the level of SARAs' autonomy. However, the proponents of the NPM principles and most literature regarding SARAs support high degrees of autonomy. The issues and potential solutions mentioned in this section are not new. Still, they indicate how SARAs' autonomy differ and that some SARAs are less autonomous than the proponents of the NPM principles intended.

Fleeting political will and leadership

Another complication that is outside the control of SARAs is the political support for the agency. Tax exemptions are a vast problem in many countries and are granted by politicians in return for support, favours, and funding (Moore 2014, p. 105). Some governments seem to have had incentives to 'maximize rule over revenue' and have needed to provide rents or concessions to supporters and elites to stay in power (Piracha and Moore 2016). SARAs have little de facto power in this regard. However, they can limit the effect by scrutinizing exemptions, yet this is difficult to control and enforce.

Furthermore, pressures for politicians to provide exemptions might come from internal and external elites and business and donors, as development assistance is often exempt from taxes (Fjeldstad 2014, pp. 184–5). Indirectly, this validates the use of exemptions in general. Such granting of exemptions is exogenous to the revenue administrations, yet it greatly influences their possibility of raising revenue. It places SARAs in a situation where they need to increase revenue to reach politically set performance targets. Still, their ability to do so is weakened by the very politicians and donors setting the targets (Moore 2014, p. 105).

Fleeting political support thereby has policy implications as it can undermine reform efforts and effectiveness. Moreover, tax exemptions provide an opportunity for bribery and corruption in the administration, which could be limited simply by limiting the extent of exemptions (Fjeldstad 2014, p. 185). Consequently, tax exemptions can limit trust in governments and SARAs.

It also has the adverse effect that SARAs sometimes resort to harassment-like practices to reach targets. For example, they conduct frequent tax audits of already known taxpayers to reach revenue targets, which the taxpayers consider harassment. In Zambia, formal businesses complained of this (Von Soest 2007, p. 360). Harassment decreases taxpayers' trust and compliance (Fjeldstad 2014, p. 187). Consequently, this has potential policy implications as it can influence the establishment of a fiscal contract and revenue bargains between taxpayers and the government. Therefore, reaching performance targets is not always synonymous with efficient revenue administration (Fjeldstad 2014, p. 187). Being more aware of these potential adverse effects in the setting of targets is vital for the long-term prospects of taxpayer trust and administrative efficiency.

Structural limitations

This discussion has highlighted differences in the implementation of SARAs and how it has affected policy outcomes of reform. Yet, structural limitations can also influence the potential of reform. While implementing a SARA could be beneficial in many ways, some structural factors limit the possibilities of the administration and are outside the sphere of what the SARA can address. Generally, countries with the least ability had to conform to reform agendas and often to the most widespread reforms (e.g., Fjeldstad and Moore 2008, pp. 237–8). In many cases, this meant that SARA-reforms were adopted without considering country-specific circumstances and the most pressing issues that needed attention (Fjeldstad and Moore 2008).

This does not mean that reform of the revenue administration was not needed. Instead, other more important factors were overlooked (Van de Walle 2001). Many of the SARA-reforming countries, for example, had a rather undiversified economy and a large informal sector. Thus, while implementing SARAs could improve the ability to formalize some economic actors and capture tax avoiders, SARAs cannot change a country's economic structures. Put differently, there is a need for a surplus in the economy to tax, and even the most efficient revenue administration can do little to improve revenue substantially without. Enforcement of small taxpayers or capturing informal workers in the tax system might, for example, not always be cost-efficient. However, it can have other benefits, such as signalling fairness to larger taxpayers (Beach 2018). In such cases, a more pressing need may be the diversification of the economy. Nevertheless, it can be hard to determine what is caused by structural limitations and what is caused by, for example, lacking political will. In such settings, overly optimistic expectations of the SARA-reform might simply be too difficult to fulfil.

Conclusion

While the initial idea of SARAs was based on NPM principles, many diverse rationales were behind governments' decision to implement one, such as insufficient revenue, donor pressure, and ineffective administration. Many rationales were overlapping, and different constellations of rationales can explain the individual government's choice. Nevertheless, the

main rationales for SARA-reform have remained the same over time. One central expectation with SARA-reform was that it would be universally beneficial and increase revenue. There is no proof that this has occurred. Instead, the revenue effects of reform seem to differ between countries. There is still pressure for politicians to find viable policy solutions. Raising revenue remains a central issue for many states in sub-Saharan Africa and has significant implications for public policy. It influences what is politically possible, for example, in terms of public goods provision.

Some more wide-ranging positive implications of SARA-reform are improvements of staff and professional networks. Frequently, the SARA has more specialized knowledge than the MoF and thereby not only administer policy but also greatly influence policymaking by providing policy advice. Therefore, the level of professionalization in the individual SARAs and the improved international networks have important implications for future tax policy. In addition, SARAs often functioned as a catalyst for further tax reforms. However, the extent of these benefits also differ. These differences are not surprising, as the implementation of SARAs has not been identical.

Consequently, the policy implications of reform vary according to the SARA and country context implementation. No matter how efficient a SARA is, it can only do so much given the economic structures it is embedded within. Thus, the differences in SARAs' efficiency are due to diverse factors such as differences in implementation processes, political will, degrees of autonomy, and structural limitations.

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EVOLUTION AND CHANGE OF COMMUNICATION POLICY IN POSTCOLONIAL AFRICA

From independence to the present day

Osée Kamga

Introduction

The potential of communication and communication systems has long been promoted as a key piece for development in the developing world. In the late 50s and early 60s, as many African countries gained independence, modernization theorists such as Lerner (1958), and Schramm (1964) articulated the notion that communication, particularly mass media, could and should be harnessed to diffuse modernity in the developing world. This view was readily adopted by international organizations, notably the United Nations (UN) and UNESCO (Thusu 2000). Since then, the growing scholarly interest in communication for development has been steady and has experienced a real boom since the 1990s, with varying perspectives and approaches.

Works carried out with the support of international organizations such as the International Telecommunication Union (ITU), the World Bank (WB), the Organization for Economic Co-operation and Development (OECD), other specialized agencies of the UN and more recently, the New Partnership for Africa's Development (NEPAD), has generally been techno-determinist, with a positive assumption about the role of communication technologies in social change and improved developmental outcomes in Africa. Such studies have focused on access to communication technologies, highlighting the gap between the North and the South and between various social categories within African countries while searching for ways to close it (Adesina et al. 2006). Several studies have looked into the impact of communication technologies in Africa, focusing on how these technologies transform socio-economic life (Bonjawo 2002; Dent 2014). And along these lines, there are also increasing concerns with and interest in how to appropriately and effectively leverage the current technological proliferation, especially, the digital media (in communication and other sectors) to improve policy effectiveness and public service delivery in Africa, with others establishing direct connection between digitalisation, for example, and the performance of Sustainable Development Goals (e.g. Onyango and Ondiek 2021; Odularu and Adekunle 2020). In addition, the issue of appropriation has been at the heart of much research, with the attempt to identify and analyse how Africans are using communication technologies in innovative ways to make the most of them (Kamga and Cishahayo 2013; Gabas 2005). Since the Arab Spring (2010–11), there has been a renewed effort to understand the role and scope

of communication technologies, especially new media and social networks in the African political arena (Olorunnisola 2013). Other works have studied the African press and its fight for survival in what they consider as a hostile environment (Frère 2001).

In spite of this, national communication policies in SSA have generated less interest in the field of communication research. Admittedly, there are significant works such as those on West Africa (Asante et al. 2013), Ghana (Gadzekpo 1997) or those published in a 2010 special issue of the *Journal African Communication Research* on national communication policies in Africa. The 2003 book *Broadcasting Policy and Practice in Africa*, where the authors discussed, *inter alia*, broadcasting regulatory models in Africa, pluralism and diversity and the sustainability of public service broadcasting are worth mentioning. This chapter traces the evolution of communication policy while also contributing to its developing body of research. The concept of communication is broad in scope and polysemic in nature. In his book *Communication and Culture*, Alfred Smith underlined this point when he spoke of the subtlety, the variety and the ubiquity of the processes of communication, with “hundred different means, either words or gestures or punched cards, either intimate conversations or mass media and worldwide audiences” (Smith 1966, p. v). This chapter’s discussion limits communication to the transmission and sharing of information, news, ideas or opinions, involving specific means such as print, electronic and digital media.

Communication policy understands status, directives, guidelines or legislative measures devised by governments to ensure the optimum efficiency of communication systems, *i.e.*, communication technologies, development, implementation, distribution and uses in a given social context. Therefore, the development of media infrastructures, freedom of expression and pluralism in information processing in all matters of communication policies. This discussion focuses on media and telecommunications policies, and its fundamental assumption is that effective communication policies should constitute “a favourable framework within which communication systems and technologies can be developed and utilized in a coordinated, consistent and systematic manner for the benefit of society” (Boafo 1986, p. 37). Unfortunately, as shown here, communication policies in SSA have consistently lacked such ambition.

The great potential of a national communication policy in the dynamics of social change is widely recognized. For the Food and Agriculture Organization (FAO), it “can be an instrument for supporting the systematic planning, development and use of the communication system, and its resources and possibilities, and for ensuring that they function efficiently in enhancing national development” (FAO 2002). Therefore, research on the issue appears all the more relevant, as it could contribute to advancing communication policies in Africa. The rest of this chapter is organised as follows: The first section focuses on the two decades following the independences where communication policies in the SSA were largely public control of the media. The second section looks at how from the MacBride report (1980), this trend began to loosen. Both sections underline how communication policies in the region, especially, during the first three decades following the independence, have consistently been reactive and fragmented. The last section focuses on the current environment, which generally began to take shape in the 1990s, thanks to changes in the political system, new communication technologies (NCTs) and pressures from the international economic on the African state, that consequently set up regulatory bodies to develop frameworks to promote the liberalization and the development of the communication sector. However, this historical segmentation is only part of an overall picture. Within each country, communication policies have evolved according to specific configurations linked to the political regime in power. This is notable in Ghana, where the successive civil and military regimes

following independence shaped communication policies according to their respective visions of the social role of communication (Gadzekpo 1997).

The communication for development era

The majority of African countries gained independence in the early 1960s. Two ideas informed or influenced communication policies in SSA countries during the two decades after decolonization: (1) the centrality of the State as an agent of development and (2) the diffusion of innovation theory. From the early 1960s, two priorities were moved by leaders of the newly independent African countries: national stability and socio-economic development (Kamga 2019). Although, following independence, many African countries entered into a turbulent period.

First, some countries became the site of a proxy war between the then two superpowers, the United States and the former Soviet Union, who engaged in an ideological war in Africa and worldwide. This was the case of the Congo-Kinshasa, where the vision of Patrice Lumumba, which was at odds with the United States, led to his demise through a military coup engineered by the Americans (Ngondji 2014). Second, the resistance to newly installed African leaders considered by many as puppets to former colonial powers (Bouopda 2006). Third, other countries were embroiled in internal power struggles with an ethnoreligious backdrop. This was the case in Nigeria, where ethnoreligious cleavages gave rise to outbreaks of violence and fostered an unstable political climate characterized by a succession of coups (Rosenblum 1979). Many newly established governments resorted to authoritarian governing systems with aspirations for national stability and unity in these contexts. Authoritarian doctrine postulates the absolute legitimacy of the State to subsume individualities (Piotte 1999). Consequently, independence leaders attempted to legitimize themselves, arguing that new States could only resist the disruptive influence of “local or ethnic particularism, ‘regionalism’ or ‘tribalism’, by the force of central power” (Lampué 1962, p. 2).

Following independence (the late 1950s and the early 1960s), the modernization theory emerged as a development framework for the newly independent states. The theory held that the Western development model pushed these newly independent countries from a traditional society to a modernized one. Lerner (1958) suggested that the “Western model of modernization exhibits certain components and sequences whose relevance is global” (p. 46). Influenced by Keynesian economic thesis, these theorists promoted the State as the centre for development (Lerner 1958; Schramm 1948, 1964). These theorists also believed in the virtue of using communication systems to spread the values of modern societies. Lerner (1958), for instance, proposed the concept of “empathy”, *i.e.*, “the capacity to see oneself in the other fellow’s situation” (p. 50), and suggested that by focusing on the media and the “happiness” in which Western societies live, underdeveloped countries would be more inclined to adopt modernity. He argued that empathy level determines the degree and speed of modernization from a traditional society to a modern one as it works deeply at the level of self-representation: “operating at the level of person’s identity, empathy alters the basic self-imagery by which a person defines what he is and what he may become” (Lerner 1964, p. 400).

Similarly, Schramm (1964) argued that

the task of the mass media of information and the ‘new media’ of education is to speed and ease the long, slow social transformation required for economic development, and, in particular, to speed and smooth the task of modernising human resources behind the national effort.

(p. 27)

Such communication for development approach hailed the media as the catalyst of desired change and the motivational centre to raise people's aspirations towards Western lifestyles considered the archetype of development. The general belief was that it was sufficient to disseminate knowledge and technologies from the North to spark the development of the South. Modernization theory became "very influential and received the support from international organizations such as UNESCO and by the governments in developed countries" (Thussu 2000, p. 56).

Modernization theorists conceived development "as something that a national government did to its people. So, the one-way media – radio and television – fit right into this top-down conception of development programs in health, family planning, and rural development" (Rogers 1986, p. 241). To this end, the UN endorsed the promotion of national programs to "strengthen the capacity of mass media in less developed countries" (Matumaini 2010, p. 4). With the support of their Western backers, the new African leadership made the State the sole custodian of development. It focused on controlling media infrastructures and content, ensuring that any surviving private media structures aligned with the State's goals and objectives (Tudesq and Nédélec 1998).

Instead of articulating a comprehensive policy framework to enable these countries to develop and strengthen their media systems, they seized the opportunity to muzzle dissenting voices. For instance, in Nigeria, most publications became government-owned, except a few such as the *Nigerian Tribune*, *The Punch*, *Vanguard* or *The Guardian*, which faced constant harassment by public authorities (Green and Karolides 2014). In Cameroon, a December 21, 1966 press Law N°66/LF subjected the creation of a print media outlet to prior authorization with the bond. It further instituted administrative censorship on printing, publishing and circulating newspapers and strict and permanent control of people and content. It forbade anything to be published without the consent of the representatives of the political power. The law established the State monopoly in the audiovisual sector and prohibited access to private entrepreneurs.

The Cameroon Tribune, the government's newspaper, then practically became the only meaningful press title in the country until *Le Messenger* in 1979, which went under tremendous state pressure and harassment from the outset. According to Eko (2008), in virtually all of the French former African colonies, "Napoleonic-era laws against insulting the head of state and his family were passed. The Media were subject to pre-publication censorship, seizure of published material from newsstands, and denial of the right to purchase newsprint or hire government printing presses" (p. 3). It was not only in French Africa that this happened. In the early 1960s, Uganda enacted several laws such as the *Press Censorship and Correction Ordinance of 1964* and *The Public Order and Security Act of 1967*, which curtailed criticisms and limited the freedom of expression. The same were experienced across Africa (e.g. Chibita 2010, p. 92). In Western Africa, Asante et al. (2013) wrote:

All broadcasting became state-owned, [...] inherited from the colonial administrations that had set them up primarily as extensions of imperial political and ideological control or as direct propaganda tools in times of the inter-imperialist world wars. The main or dominant newspapers in a country were now ruling party organs and/or the nationalized publications. This reality of the press signified government monopoly of the space for free expression, an indication of a generalized silencing of contrary viewpoints and dissent. Few governments decreed an absolute banishment of [the] private press. But wherever they prevailed, the private press survived precariously in the face of incessant state interference and outright repression.

(p. 6)

Overall, communication policies in the SSA countries following independence essentially focused on state media ownership, especially mass media and their contents. Ownership policies were oriented toward forbidding or severely limiting privately owned media. As noted in the book *Broadcasting Policy and Practice in Africa*, “in many countries, private broadcasting was not permitted, and the only broadcasting entity to regulate was the ‘public’ broadcaster operating under the ambit of the government” (Article 19, 2003, p. 2). Content policies, on their part, were essentially characterized by censorship, with highly repressive laws (Beng Nyamnjio 1993), because authorities dreaded free speech (Bourdon-Higbee 1975, p. 13). From one country to another, defamation and sedition laws were enacted to deter criticisms and ensure the domination of a certain elite. In reality, as noted in the MacBride report (1980), colonial rule continued to exert “a strong influence over structures of communication... even when political independence was secured” (p. 6).

The era of the MacBride report

Although communication policies did not significantly evolve in SSA during the 1980s, some developments on the international scene had some national repercussions. For instance, a general contestation of the modernization paradigm and its diffusion model led to questioning the State’s role in the economy. Therefore, the dominance of the modernization paradigm fades away in the 1970s. The modernization paradigm suffered from the fact that it built its categories of analysis from the historical experience of the Western world and was unable to develop tools suitable to understand the experiences of the countries of the South (Frank 1967). The modernization approach was based on the idea that the development of the South will automatically result from its adoption of knowledge, values and technologies from the North. As the MacBride (1980) report noted,

The development models of the past mainly utilized communications to disseminate information to make people aware of “benefits” to come from and “sacrifices” required for development and to instil a readiness to follow leaders. The imitation of a model of development based on the assumption that newly-created wealth will automatically percolate down and “irrigate” the whole society included propagation of downward communication practices, sometimes over-simplified and assimilating the techniques of advertising. The results have been far from what was expected (IV-4).

Boafo (1986) noted that “the decades of the 1970s and early 1980s have witnessed a gradual dissipation of much of the euphoria which marked early conceptualizations about communication and social change” (p. 36). Also, in the late 1970s, a debate over a New World Information and Communication Order (NWICO) culminated in the establishment of a committee by UNESCO to examine the issue of a global communication system in 1977. In 1980, the commission, headed by Seán MacBride, pointed out the unequal global distribution of information and communication resources and called for the democratization of communication and the strengthening of national media to end the South’s media production dependency on the North. The report further noted that there was “a growing awareness that alien models may be unsuitable and that the political, cultural, social and economic features of each country must be more closely linked with its particular patterns of communication” (MacBride 1980, p. 21). This report, which “was published in an era of media and communication scarcity across the globe, particularly in the developing world” (Thussu 2015, p. 255), underscored the need for diversity in the international sphere of

communication, with nation developing policies following “diverse traditions, patterns of social, economic and cultural life, needs and possibilities” (MacBride 1980, p. V-2). Thus, the report echoed the questioning of the causal conception of communications inherent in the modernization paradigm and crystallized to a new apprehension of communications, as no longer as a process aimed at persuading the masses, but as a set of processes aimed at stimulating the participation of the entire community in the instigation and the achievement of social changes (Cishahayo 2011, p. 116).

At the national level, this perspective introduced a new dimension in the debate over national communication policies by raising the cultural aspects of communication in the national space and deploying communication infrastructure aimed at greater democratization. Given this, the vertical communication model began to give way to a more democratic model, focused on horizontal communication, and based on people-to-people interactions (source). Community media became central to this debate, considering how they could foster exchanges among community members; allow them to discuss their concerns; and, ultimately, to imagine and articulate how they could take their destiny into their own hands (Cishahayo 2011, p. 117).

The debate furthered the recognition that communities have undeniable competence to understand and address their own concerns. Bordenave contends that the

need to think, express oneself, belong to a group, be recognized as a person, appreciated and respected, have some say in crucial decisions affecting one’s life, etc., are as essential to the development of an individual as eating, drinking or sleeping.

(cited by Melkote 1991, p. 237)

With the backing of UNESCO, African governments began to support the expansion of radio broadcasting, particularly in rural regions, emphasizing local languages. For instance, “a UNESCO survey of the broadcasting content of Ghana from 1975 to 1988 revealed that news bulletins produced originally in English were increasingly translated into rural languages” (Blankson 2005, p. 8). In addition, the 1970s oil crisis affected the communication sector in Africa. Like most developing economies, African countries suffered significantly, with inflation running above the 100% mark. Under the Washington Consensus (WC), economic problems were levied on the state’s expansion in the economy, leading to more calls for private sector involvement (Williamson 2004). The WC recommended financial assistance be made conditionally of significant structural reforms on developing countries, hence the Structural Adjustment Programmes (SAPs). The SAPs were to liberalize and privatize state-owned enterprises. The communication sector was seriously affected. Consequently, African states began to loosen their grip on the sector and timidly allowed private ownership in communications.

Liberalization and privatization: impact and challenges

From independence to the late 1980s, communication in SSA was not an integral part of socio-economic development. Hence, its insufficient incorporation in the policymaking process. In short, growing and strengthening the communication sector was not given a real consideration in the overall scheme of things. Thus, by the middle of the 1980s, no African country had implemented a comprehensive, integrated and holistic communication policy. The general approach to communication policy in the continent had so far been partial and based on component-by-component consideration (Boafo 1986, p. 39).

The end of the cold war in the early 1990s witnessed a shift in the communication landscape in Africa. With the triumph of liberal democracies, new communication technologies began to emerge, leading to the transformation of the global communication industry. African leaders, coerced by international donors, began to show interest in media pluralism. According to Frère (2005), from one country to another, legislative initiatives endorsed media pluralism and leaders, conveniently converted to democracy and professed their commitment to press freedom (p. 11). Governments began to streamline their communication policies to accommodate private media structures. Thus, by the end of the 1990s, many states had taken steps to legalize competitive broadcasting (Myers 2014, p. 5).

Most countries also created regulatory bodies to ensure transparency through an open process to limit the fears that could deter private investments in the sector. Cameroon, for example, established the National Communication Council (NCC), which aimed at working towards the emergence of a professional, accessible and responsible press and at contributing to the professionalization of the media sector in all its components in 1990. Côte d'Ivoire established the National Press Council (NPC) to ensure press pluralism in 1991. In 1992, Benin created the High Authority of Audiovisual and Communication (HAAC) to ensure the freedom of the press and all means of mass communication. In the same year, Burundi set up its NCC to guarantee the diversity of media voices and reduce its stranglehold on the information sector. In 1993, Malawi reformed its Penal Code amended its Seditious Act and eased restrictions on the freedom of expression.

Overall, the communication sector in SSA underwent a profound transformation during the 1990s, marked by the elaboration of policies that curtailed the State's monopoly. In 1998, Cameroon, for example, enacted Law N° 98/014 governing telecommunications to stipulate the installation condition and satisfy the users' numerous needs. Accordingly, the government established a regulatory agency, the Telecommunication Regulatory Board (TRB), to ensure safe and legal competition in the telecommunications sector.

Other countries adopted a similar approach in the 1990s. For instance, within its 1995 law on telecommunications, the Ivorian government set up two regulatory bodies, the Telecommunications Agency of Côte d'Ivoire (ATCI) and the Telecommunications Council of Côte d'Ivoire (CTCI), to address the needs of the sector. The ATCI, an independent administrative body, was mandated to ensure telecommunication law and introduce competition in the sector. It was to approve pricing of services, issue authorizations for telecommunication services and control the radio frequency spectrum. For its part, the CTCI was to provide arbitration when disputes may arise on telecommunication activities. In short, it was to ensure that healthy competition in the sector was in the public interest and to manage conflicts between operators or between an operator and the ATCI. In Togo, the law 1998-05 on telecommunications aimed to create the conditions for effective competition, on equal terms, in the telecommunication market.

Altogether, liberalization and a competitive market in Africa recognized the centrality, the input of communication and its impact in virtually every aspect of the socio-economic life in Africa. This would supposedly result in the modernization of telecommunication infrastructures, increased network coverage and teledensity, and universal access. In that context, competition would ultimately benefit consumers in terms of service quality and cost. Although service quality has somewhat improved in many African countries, it remains generally below international standards. Also, the high cost of services impedes universal access efforts, especially in mobile telephony and internet services. A recent report by IMF notes that for SSA, "mobile download speeds in the region are, on average, more than 3 times slower than in the rest of the world. Affordability remains a lingering obstacle to adoption

as the cost of accessing digital technologies remains high relative to incomes” (Simione and Woldemichael 2020).

One of the problems impacting accessibility and cost is the failure of regulators to properly play their roles in ensuring effective competition in the sector. Thus, real competition observed in many countries at the early phases of liberalization has shrunk, given way to quasi-monopoly in the sector. In Senegal, for example, Sagna (2010) suggested that a major operator in Senegal exercised an unfair competition which forced many internet service providers out of the market by taking advantage of lax regulation. Hence, only two operators left in 2010 in Senegal, down from 15 between 1995 and 2000. The lack of rigour in regulation impacts policy outcomes. Nyman-Metcalf (2003) states that “in many African countries, there is a lack of transparency of the regulators, which makes it very difficult to understand on what basis or why decisions are taken” (p. 25).

Another issue affecting the sector is the independence of regulatory bodies, whereas major international players in the industry generally operate the economic and telecommunication infrastructures, the control of networks through bandwidth policies, pricing structures and access exercised by regulators. The latter was controlled by political authorities, with the subversive potential of communication systems. Such political control continues to be the lever by which these authorities manipulate the communication system as they see fit. The insidious nature of such control occasionally manifests itself with dreadful brutality. In Cameroon, for instance, when the English part of the country started to protest against structural injustices against them, the government reacted by shutting off the internet in the region for 240 days (Thijmen 2017).

Finally, there is the top-down policymaking process. The government develops policies and entrusts them to those responsible for enforcing them. Obasi and Lekorwe (2014) view the top-down approach as “a hangover from either the long period of the military dictatorship in many of the countries or from the authoritarian one-party system in some of them” (p. 1). Also, there is hardly any input from the other parties involved, i.e. industry players and the public. Such a structure cannot serve the public interest. The most important responsibility in such a context rests on the communication industry and the users of communications systems. They must insist on a seat at the consultation table. This approach is practised by the Canadian Radio-television and Telecommunications Commission (CRTC), the broadcasting and telecommunications regulator in the country. The CRTC organizes public consultations during which civil society groups and individuals participate, either through direct interactions or briefs. Under these conditions, regulations reflect a broad consensus and serve the public interest.

Conclusion

This chapter mapped the development of communication policy in SSA in three main trajectories. The first was the immediate post-independent period through to the late 1970s. Here, communication policies were largely media policies, focusing on media ownership and content. They were first formulated when communication systems *per se*, specifically media structures, were considered by modernization theorists as having a demiurgic power to transform society. The modernization approach gradually became demised by the mid-1970s amid two significant trends. First, the media approach as vectors of modernity was flawed, and second was the growing contestation from the South of the structure of international communication.

By the 1980s, communication policy began to loosen in Africa. Countries under economic pressure and conditions from international funders called for liberalization of the sector. However, despite the deregulation of the sector and the entry by private operators, effective communication policies and their impact on citizens' socio-economic lives remain mixed due to regulatory failures. Thus, a transparent regulatory process that includes public consultations would contribute to healthier developments in the industry for the more significant benefit of users. Such policies should evolve from broad consultations with all sectors concerned and adequate mechanisms for wide participation of organized social groups in their definition and implementation.

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MULTICULTURALISM AND POLICYMAKING IN AFRICA

John Sunday Ojo and Joanne Clarke

Introduction

The post-World War II period saw an emergence of new global ideologies encapsulated in human equality, which, in turn, triggered the rise of three waves of political movements challenging the primordial hierarchies of racial inequalities. These coincided with the decolonisation era (between 1948 and 1965) with its civil rights movements against racial hierarchies and segregation led by African-American activists between 1955 and 1965. The emergence of multiculturalism then advocated for minority rights in the late 1960s. These movements revolutionised the early uncivil racial tradition, social stigmatisation and exclusion in politics and the economy, heralding a series of policies that promote liberal democratic constitutionalism, citizenship and human rights (Kymlicka 2010). Multiculturalism focused on the rights of national minorities, indigenous peoples and immigrants in economic redistribution, political participation and cultural recognition (Banting and Kymlicka 2006).

The policy on multiculturalism gained momentum in the 1970s, as a workable instrument to appease migration and diversity, and as a tool for socio-political inclusion in Western societies (Parekh 2000; Modood 2007). This era of the human rights revolution advocated for ethnic and racial justice to address challenges attendant to assimilationist policies promoted in the pre-Civil Rights period (Kymlicka 2012). The principle of multiculturalism was one of the instrumentalised policies by many Western nations that experienced an influx of immigrants (Freeman 2004). It was adopted to heal the “exclusionary ideologies” wounds and promoted egalitarianism and social inclusion (Kymlicka 2012).

Multiculturalism can be considered within the context of “identity politics”, “the politics of recognition” and the “politics of difference”. Thus, multiculturalism relates to social resilience against the challenge of ethnic variations in modern society. In policy terms, it is either a top-down government effort to enhance ethnic pluralism or a bottom-up process for mobilisation of ethnic interests in policy processes and community development (Radtke 2001). The adoption of multicultural philosophies particularly acknowledges diversity and allocates special cultural rights to minority groups such as women, youth, children and immigrant minorities. It is also a process of nation-building to re-acclimatise a sense of belongingness that accommodates multiple complex identities marked by gender variation and class formation. This can be through negotiation, participation and debates that provide an opportunity for new citizenship: non-formalised legislation and a process of participation that recognises

cultural rights, linguistic differences and representation. Ultimately, multiculturalism fosters “positive nationalism” that is capable of ensuring social cohesion through a participatory approach, and “confrontation of different memories” can be attained (Campani 2004).

Following these developments and conscious of the complex socio-political landscape, African governments have retrospectively intensified efforts towards ethnic integration. Multicultural administration has recently involved drafting and adopting local, regional and international regulatory and constituent policy frameworks to ensure equal political representation, and equality in employment distribution for all-inclusive governance in Africa.

This chapter explores multicultural administration policies in Africa in the context of Nigeria and Cameroon. It addresses a fundamental question around the policy effectiveness of diversity policies in Africa. This chapter provides insights on nation-building/constitutional reforms in Africa while demonstrating the critical role of getting the policy right in deepening social cohesion. It is structured as follows: the next section looks into the theoretical discourse of multiculturalism, followed by an exploration of the basic tenets of the African multicultural governance system. Thereafter, subsequent sections delve into multicultural policies in Nigeria and Cameroon selected based on recent ethno-regional tensions. We conclude by giving a general overview of the policy effectiveness of multicultural policies in Africa.

Understanding multiculturalism and its public policy parameters

The term multiculturalism, contends Kallen (1982), is often used in three multi-dimensional ways: as a public policy adopted to promote ethnic diversity and unity; as a principle targeted towards the absorption of ethnic diversity in the general structure of the society and as a narrative of cultural diversity in society. The phenomenon represents a fundamental philosophical proposition of American anthropology. It is also considered an instrument for ensuring social justice, representation and the hegemonic tendency of identity classifications (Segal 2001). The discourse on multiculturalism represents constructive imagery of plural society that recognises the existence of minority groups as founded on the philosophy of multicultural citizenship (Parekh 2000; Modood 2011). Acknowledging and promoting equality among the ethnically, religiously, racially and culturally diverse societies are the basic characters of multiculturalism (Joppke 1996).

Most importantly, however, multiculturalism is not a homogeneous or unifying theoretical condition. It involves dual lenses, a practical approach to diversity and a component of social philosophy that promotes cultural disparities. Multiculturalism has been applicable in social, political and cultural traditions to respond to the challenge of diversity (Prah 2010). Consequently, it is “the political accommodation by the state and/or a dominant group of all minority cultures defined first and foremost by reference to race, ethnicity or religion” (Modood and Meer 2012, p. 181). Thus, it deals with diversity to uphold the significance of an individual and groups’ cultural values (UNESCO 2001).

However, the fear of fractionalisation based on citizens’ loyalty to their ethnic groups rather than national unity remains a vulnerable component of multiculturalism globally and the greatest threat among nations (Huntington 1996, p. 321). Indeed, the fragility of African states often relates to loose ethnic integration and divisive political competition that this presents in the articulation of governance issues (Hyden 2012). Tibi (2009) argues that some cultural arrangements negate democratic principles resulting in cultural differences that may trigger conflicts and tensions in highly polarised societies like those in Africa, where political stability mainly reside in political settlements made by political elites acting as representatives of different tribal groups (Onyango and Hyden 2021).

Nevertheless, multiculturalism is unavoidable in advancing nation-building, accommodating the interest of diverse cultural groups in allocating political and economic resources. Although competition over political power and economic resources is inevitable, competing processes require an egalitarian structure bounded by a legal code to ensure that competition does not lead to conflict. All cultural groups should access and benefit from state opportunities. However, ineffective management of such variegated cultural and ethnic arrangements are commonplace in Africa, hence the complex political transitions (Hyden 2012).

Significantly, the limit of cultural tolerance needs consideration when discussing the principle of multiculturalism. To what extent can a state permit an individual or a group's cultural value? A liberal state should, however, often promote equal citizenship, and it is only through multicultural policies that an individual and a group's cultural rights are guaranteed. In line with this permissible cultural liberty, the limit of cultural autonomy becomes an unresolved intellectual discourse.

Critiques of multiculturalism employ such ambiguity to challenge some multiculturalism theories like the one by Kymlicka that argues for preserving cultural values of different groups, including female genital mutilation among many African communities today. But scholars like Neil Bissoondath (1994) and Richard Gwyn (1995) challenge this by arguing for cultural limitation against such cruel practices as clitorrectomy. Kymlicka (1998) responds that cruel practices are not accommodated within a multicultural context. Multiculturalism prevents external influences on indigenous cultural values and promotes fairness among the various cultural groups. Still, whose responsibility is to define which cultural values are cruel or inhumane, and which benchmarks can be used to determine such unique cultural practices? This creates an endless discourse about Kymlicka's narratives in defining cultural viciousness. More importantly, considering these salient issues, what is good cannot be absolutely determined by an external entity, foreigners or individuals or groups whose domicile is outside of the domain of where a particular cultural ceremony is practised. Moreover, the philosophical foundation of multiculturalism disregards political inequality and related economic issues in society. Kymlicka (2010) argued that:

Even if all Britons come to enjoy Jamaican steel drum music or Indian samosas, this by itself would do nothing to address the real problems facing Caribbean and South-Asian communities in Britain – problems of unemployment, poor educational outcomes, residential segregation, and political marginalisation. These economic and political issues cannot be solved simply by celebrating cultural difference.

(pp. 98–9)

Also, to promote the unique cultural values of various groups, all customs and traditions cannot be legitimately enshrined in the state constitution, like a forced marriage that has been an age-long practice in some cultures. However, there is an opportunity to carefully select innocuous traditions such as music or cuisine that the members of the larger society can consume. The danger associated with such an option revolves around the neglect and belittlement of cultural disparity (Bissoondath 1994), neglecting the problem inherent in cultural and religious differences (Kymlicka 2010).

Additionally, the principle of multiculturalism is hypothetically capable of fortifying power inequalities and limiting minority groups. In determining which traditions are authentic and decoding and exhibiting them, the state often consults with cultural elites within the group. These are usually older men who neglect how these traditions are practised and challenged by internal forces or reformers who may have opposing views on the practicality

and exhibition of cultural values. This constrains groups like women, youth, children, and people with disabilities who may have been perpetually constricted by the incontestable cultural ethos (see *Part X* of this volume). Consequently, the “post-multicultural models of citizenship” highlight and prioritise political participation, economic opportunities, individual freedom, human rights, inclusive governance over symbolic ancestral cultural identities that are well-established in public policies, and constitutional dictums of many countries in Africa and globally (Kymlicka 2010).

Multicultural governance in Africa

Although the principles of equality and recognition of minorities are globally acknowledged, multiculturalism depends on the historical composition of the society, immigration experiences and the conditionality of the indigenous people (Castles 2002). Compared to other regions, Africa has the most diverse communities. For example, linguistically, Nigeria has more than 470 languages (Mengisteab 2010). Diversity portrays the morphological nomenclature of the African nations. Ethnolinguistic variations and cultural pluralism characterise the African post-colonial state. The DRC has 242 languages, Sudan has 134 languages and Ethiopia is estimated to have 89 languages. Even a small country such as the Gambia has ten languages, while religious differences abound in many countries throughout Africa (Mengisteab 2010).

However, ethnolinguistic realism in Africa is not diverse as observed. The different ethnic groups’ languages are “dialectal variants” or “sub-entities of larger groups”. Localised characteristics of the local groups are regarded as separate entities in much of the anthropological literature. For instance, in Ghana, the Akan is comprised of Akuapim, Fanti, Kwahu, Ahanta, Ashanti, Brong, Akyem, Kwahu, Agni, Baule, Nzema, etc., are often considered as separate people and treated within the country separately. Similarly, in East Africa, especially Southern Sudan, the Bari-speaking people who are culturally and ethnolinguistically homogeneous are counted as Fajelu, Mondari, Nyangbara, Kuku, Kakwa, Bari, etc. Nevertheless, the dynamics of African societies reflects the growing multiculturalism (Prah 2010).

In Africa, the phenomenon of multiculturalism was not recognised as a potential academic discourse in the early 21st century. This is because African social composition was organically established based on a multicultural and multi-ethnic structure from time immemorial. Diversity is not new to African society. The influence of colonialism that lumped divergent ethnic groups together has given it great scholarly attention within academia. Nevertheless, multiculturalism was employed as a potent instrument for nation-building after independence. It was used to de-ethnicise most African societies, creating a unitary structure that affirmed the philosophy of nationhood. The concept was also employed to deal with minority-majority conditions in Africa (Prah 2010).

Despite that ethnicity had an overwhelming influence in African politics, the formal engagement of multiculturalism was designed to and committed to nation-building. Because of the general political and economic failure of post-colonial states in Africa, having recognised the consequences of ethnic differences that sometimes triggered the genocidal wars, ethnic conflicts and clashes between groups, multiculturalism became a tool to foster an individual’s sense of belonging and inclusion in the polity (Prah 2010). The cultural differences in Africa have long been acknowledged. Richards (1969) devised a narrative of linguistic, religious and cultural diversities of communities in East Africa. He argued that one of the

contentious discourses on multiculturalism is assimilation. The author further illustrated the case of Oromo in Ethiopia, where assimilation was adopted as a credible option. Assimilation was also used to maintain a hegemonic ascendancy of a dominant culture (Prah 2010). Thus, multiculturalism addressed a kind of cultural inequity in these contexts.

Towards policies of recognition and (re)distribution in Nigeria

The evolution of Nigeria's federal arrangement began in 1914 when the British colonial authority amalgamated the Northern and Southern regions. The consolidation of primordial regional structures wheedled by the colonial representatives was deliberately synchronised for administrative convenience and economic interest (Umesjesi 2012). The amalgamation of the two regions has been regarded as fraudulent/a costly mistake, lumping together incompatible ethnic groups to date (Kendhammer 2014). Nigeria has more than 300 cultural entities with different languages, customs and traditions. The largest cultural groups are Yoruba, Hausa and Igbo, constituting more than 70% of the entire population. Other minority groups such as the Tiv, Kanuri, Urhobo, Itsekiri, Edo, Ijaw, Gwari, Ibibio, Igala, Ebira, Isoko, Nupe, Jukun, Idoma and Efik constitute 23% to 30%. Other minorities constitute the remaining 5% of the population. These diverse cultural entities have their own local languages despite English being the official language, facilitating national unity. It is officially used in business environments, educational institutions and government establishments (Olukoju 2013).

According to Kirk-Green (1996, p. 262),

Nigeria has a unique problem not experienced by any state in the world past or present. The problem is that of achieving solidarity in action and purpose [amid] hundreds of ethnic nationalities, each exerting both considerable forces on the central issue of the nation.

The socio-political arrangement of the country represents what is being cogitated as an ethnical reflection of "dual citizenship". This dual citizenship originates from colonialism which defined colonial citizenship and legal status with membership in a particular customary ethnic community (Ekeh 1975; Mamdani 1996). Consequently, the proceeding Nigerian governments often pursue national integration since the 1970s through a series of policies, as discussed below.

Quota system and catchment area policies

The federal government of Nigeria formulates quota system and catchment area policies to foster equitable access to education. These policies should guide recruitment exercise and admission processes in tertiary institutions. A fixed number is allocated to various states and local governments. Candidate admission into universities is based on these fundamental policies, meaning that the general criteria for admission into universities are not only based on merit but also on the catchment area. However, quota policies have been criticised for not conforming to principles of meritocracy. The policies encourage mediocrity and provide no room for quality candidates due to their catchment areas (Omeje et al. 2016). Moreover, these policies have provided the opportunity to manipulate identities following the state of origin, putting to question the substance of Nigerian citizenship (Oyovbaire 1983).

Federal character

In 1977, the report of the Constitution Drafting Committee focused on the promotion of national unity, ethnic, religious and linguistic sense of belonging among the various groups within the Nigerian federation (Anyadike 2013). Section 14(3) of the 1979 constitution distinctly provides the mode of operation of the Federal Character principles as follows:

The composition of the government of the Federation or any of its agencies be carried out in such manner as to reflect the Federal Character of Nigeria and the need to promote national unity and also to command loyalty, thereby ensuring that there shall be no predominance of persons from a few ethnic or other sectional groups in that government or any of its agencies.

The Federal Character should manifest the pluralistic Nigerian society in recruiting and allocating political and administrative offices (e.g., Lamidi, et al. 2018). The policy should reflect the country's diversity in public institutions. It is also adopted to avoid the previous political struggles that perturbed democratic rules (Obiyan and Akindele 2002). Because of such a policy, Yakubu (1999, p. 40) posits that the federal character policy is anchored on the:

distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation notwithstanding the diversities of ethnic origin, culture, language or religion which may exist and which it is their desire to nourish, harness to the enrichment of the Federal Republic of Nigeria.

Notably, the federal character principle should ensure fair political representation. This policy was later enshrined in the 1979 constitution, which accommodates the divergent cultural, linguistic and ethnic groups in public action in Nigeria. The policy further promotes social cohesion, peaceful coexistence of diverse ethnic groups, equal access to economic resources and integration of less privileged states for socio-economic improvement. However, the policy has been widely labelled as a "tribal character" (Oyovbaire 1983) or a "geographical apartheid" (Suberu 2001). The current political administration of Muhammadu Buhari has been extensively carped by the people, alleged of encouraging and condoning political appointment from his ethnic cronies, crass mediocrity into the public service, weak at fighting ethnicity, cronyism and corruption (also see *Chapter 30* for details on how this affects public policy processes in Cameroon). This state of affairs has fostered instability and inter-group/tribal tensions rather than integrating diverse cultural groups within the political union in Cameroon as many other African countries (Bamidele and Ikulegbe 2004; Obi et al. 2019). Nonetheless, no alternative diversity policy has been offered to promote ethno-regional equalities in Nigeria (Ugoh et al. 2012).

National Youth Service Corps (NYSC)

The National Youth Service Corps (NYSC) was established and enshrined in Decree No. 24 of May 1973. The program aimed to foster national unity by engaging Nigerian tertiary graduates to participate in a one-year mandatory service to the Nigerian state. The focus of the program is to promote social cohesion and interaction among different ethnic groups. In 1987, about 2,400 graduates participated in the program (Marenin 1989). Decree No. 51 of 16th June 1993 states the objectives of the NYSC: To, among others, inculcate discipline in

Nigerian youths by instilling industriousness, patriotism and loyal service to Nigeria. This should raise the moral tone of youths by learning about higher ideals of national achievement, social and cultural improvement, etc.

Therefore, corps members should be sent to different states rather than their state of origin or the unfamiliar cultural environment and undergo a three-week orientation camp and be trained by the military officers. During this time, youths are introduced to several programmes to promote and preserve the country's unity (Marenin 1989). However, it is not surprising that this strategy has hardly transformed underlying cultural prejudices that hinder inter-ethnic integration. First, three weeks is hardly sufficient in transforming cultural prejudices and second inter-ethnic tensions are neither a consequence of different communities not working together nor interrelating and not having insights of the 'other's' culture and capabilities. Instead, from a governance lens, these tensions lie within a complex-mix of structural, historical, political and cultural factors that require well concerted policy frameworks and inclusive efforts that would transform the broader governance context, enhancing equality, justice, meritocracy and representation. That may explain why despite, the NYSC's enabling environment for socio-cultural integration, the recent Boko Haram insurgency, banditry and kidnapping, ravaging the northern part of Nigeria has defeated the fundamental objectives of the policy. The high level of insecurity in the region has necessitated the redeployment of many corps' members, especially to the southern states where the security of lives is ascetically guaranteed. Thus, the issue of insecurity remains a crucial challenge for the survival of the policy.

Ethno-regional agitation for restructuring and looming quest for disintegration

Nigeria adopted multicultural principles which underscored and recognised diversity among various cultural entities. The ethnic differences promoted discrimination, thus hampering national integration and sustainable development. Efforts to ensure national unity by the government could not produce the desired results in Nigeria, leading to ethnic disintegration (Osaghae 1990; 2001). This has threatened the Nigerian political union because of the attendant suspicious marginalisation and unequal political representation in governance processes (Obi et al. 2019; Lamidi et al. 2018). However, Nigeria's history checkered with the struggle by ethnic minorities against injustices attendant to unequal power relations between the majority and minority groups. In correcting such political anomalies, minority groups have been at the centre stage of agitation for political restructuring (Osaghae 2001).

For example, between July 1967 and January 1970, the secession movement led by the late Lt. Colonel Odumegwu Ojukwu fought against the government of General Yakubu Gowon in the Nigeria-Biafra civil war. The civil war resulted in the death of millions of citizens and the destruction of property. This was followed by several programs by the federal government centred on reconciliation, reconstruction and national integration. More than 50 years following the reconciliation programme, Biafran agitation still assumes a confrontational dimension between the Nigerian military and the pro-Biafra group (Johnson and Olaniyan 2017). Despite the arrest and pardoning of the Biafra secessionist movement like Chief Ralph Uwazuruike of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), there emerged the Indigenous People of Biafra (IPOB). The MASSOB and IPOB revolve around the lasting bitter memory of civil war, acclaimed marginalisation, especially in politics, economy and distribution of national political offices (Achebe 2012; Agbo 2013).

By clamping down the secessionist frontiers, the Nigerian state declared MASSOB and IPOB terrorist organisations, consequently banning their public appearances. Moreover, the country has also witnessed the recent upsurge of secessionist in the Southwestern areas of Nigeria. A pro-Yoruba nationalists movement referred to as O’odua Nationalist Coalition (ONAC), comprising 18 pro-nationalist Yoruba groups, including Oodua Liberation Movement (OLM), Oodua Hunters Union (OHUN), Yoruba Revolutionary Congress (YORC), Oodua Republic Coalition (ORC), Yoruba Students Nationalist Front (YOSNF), Oodua Peoples’ Congress (OPC), Oodua Muslim-Christian Dialogue Group (OMDG) and 11 other groups (PM News, June 13, 2017). Thus, responding to ethnic tension and secession threats, Nigeria has two options: (re)federalise and decongest the central political structure. This may allow regional governments to control the natural resources even though political-economic restructuring may demote state-centredness (Osaghae 2001) and arrogate the political capitals and economic resources. Restructuring rather than secession will allow each region to determine its economic destiny. Consequently, a certain percentage of the revenues generated from the natural resources can be shared by the regional governments with the national government to foster competitiveness and enable each region to develop its economic potential at the subnational levels.

Towards parity of participation in Cameroon

Cameroon has, until recently, been a relatively politically stable nation in Africa since its independence in 1960. For the past 50 years, Cameroon has had only two Heads of State, beginning with Ahmadou Ahidjo, who ruled from 1960 to 1982. In 1966 under the rule of Ahidjo, all political parties were merged into a single party, namely the Cameroon National Union (CNU). Power became centralised in the President. Paul Biya succeeded Ahidjo as President in 1982, leading the Cameroon People’s Democratic Movement (CPDM). In 1990, multiple parties were legalised after a widespread protest, The CPDM party won the 1992 elections and entered into a coalition with the Movement for the Defence of the Republic. Biya is still serving his seventh term as the President and promised to dismantle the dictatorship established by Ahidjo to build a country based on trust and morality.

However, since independence, the political leadership of Cameroon has strived towards constructing a nationalist discourse of “unity” and a united Cameroonian identity, which arguably remain elusive (Ngeve and Orock 2012). Also, the democratic process in Cameroon has stalled due to poor political governance, leadership and lack of individual freedom in Biya’s government (Mbaku and Takoungang 2004).

The central argument of many critics is that the Anglo-French partition created separate allegiances. Today, the two linguistic and cultural groups of Francophones and Anglophones remain distinct and uncompromising, with each community firmly attached to its own respective cultures, identities and public policies (Fanso 1999). Therefore, the political situation in Cameroon reflects a split in loyalty, which negatively impacts the pursuit of national identity.

Two traditions: the historical legacy of ethnic and cultural diversity in Cameroon

The complexity of Cameroon’s colonial past presents a range of contemporary challenges for parity in policy processes like participation. After World War I, the Ex-German colony of Kamurun was split into English and French Cameroons, setting administrative boundaries, which ignored both cultural and ethnic identities while impeding traditional communication

lines. They disrupted active community relations, traditions and strong kinship ties based on shared socio-political institutions and economic resources, common customs and practices, and sometimes accepting common political control (Ngeenge 2000). Also, despite over 240 indigenous languages, Cameroon followed many of its post-independence African neighbours and adopted “official” languages from its colonial past.

Following the reunification in 1961, English and French became the “official” languages of Cameroon and a policy of bilingualism. The adoption of French and English as the two official languages gave rise to Francophone and Anglophone Cameroonians (Dyers and Abongdia 2010).

Unresolved tensions

The true situation of public policy in Cameroon today does not reflect the multicultural nature of the country (Mbaku 2005; Mbaku and Takoungang 2004). A significant issue is the ongoing socio-political dispute or the “Anglophone problem” (Konings and Nyamnjoh 2019). The essence of this “problem” goes back to the end of the colonisation and reflects the divide between Cameroon’s populations. The Anglophone Cameroonians, who constitute 20%, feel marginalised and exploited by the Francophone-dominated state and by the Francophone population as a whole (Konings and Nyamnjoh 2019; Tamfu 2018). On bilingualism, Dyers and Abongdia (2010) state that Anglophones are widely considered inferior cultural groups. Therefore, they are more likely to learn French rather than Francophones learning English to access services and state benefits. This has resulted in one-sided bilingualism. Thus, the unequal practice of bilingualism largely stems from the fact that the Francophone population vastly outnumbers the Anglophone population, thereby affecting language preferences and functional spheres of power, including government and broader civil services such as in education and justice systems (Konings and Nyamnjoh 2003).

Besides, the Francophone-dominated government has been criticised for deconstructing Anglophone identity by creating divisions within the Anglophone elite to further an Anglophone-Francophone divide. Konings and Nyamnjoh (2003) contend that Anglophone Cameroon has had little autonomy since the reunification. Kofele-Kale (1986) attributes the beginning of this divide to Biya’s predecessor, President Ahidjo, who was widely accused of undermining Anglophone interests and shifting administrative and commercial centres to Francophone regions away from large, influential Anglophone towns such as Buea and Limbe in the South-West region.

In recent years, the unrest has escalated to new heights resulting in violent demonstrations and strikes over the perceived economic and political marginalisation of Cameroon’s Anglophone minority. This follows a series of grievances that morphed into political demands, leading to strikes and riots. The Cameroonian government maintains a fair governance structure, yet the English-speaking Cameroonians still feel oppressed and need to take action (Konings and Nyamnjoh 2019). Since 2015, the Anglophone resistance has increased, and claims autonomy from the French-dominated regions has grown. This ongoing tension has caused a series of protests, school and court closures, and teacher strikes, in response to government-led interventions to control Anglophone resistance, including internet cuts, curfews and violent clashes (Tamfu 2018).

Since 2015, government forces and Anglophone separatists have engaged in increasingly brutal violence and reprisals to lay down their weapons and return to community life. The opposition activists have also been detained. This has been attributed to the emergence of

“regionalism” and lack of progress concerning the ongoing Anglophone/Francophone dispute to the domestic (cultural) hegemonic tendencies of the Francophone-dominated state (Konings and Nyamnjoh 2019).

Conclusion

For multicultural public policy to be realised in Africa beyond its ideological and constitutional adoptions, the political leadership must undertake genuine political and institutional reforms to remedy the underlying structural/cultural policy problems. In particular, decentralisation policies should be rigorously applied and improved to reduce the powers of emerging ethnic inequalities. More efforts should be on building inclusivity and public trust. There is a need to improve evidence of governance transparency, for example, by creating and strengthening regional councils that can better distribute financial resources and powers through sound and citizen-led public policy designs. Finally, it is vital to take legal measures specific to the marginalised regions in a particular country to ensure representation, especially in social policies like education, health and justice. It is clear from this chapter that the pro-diversity policies currently underway in most African countries should also find ways of using informal, in addition to formal institutions and actors to drive inter-ethnic integration.

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PART V

Understanding politics and public policy in Africa



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THE POLITICS OF PUBLIC POLICY IN AFRICA

Michael Kpessa-Whyte

Introduction

Since the early post-colonial era, African countries have been engaged in designing and implementing public policies. However, compared to other parts of the world, the study of public policy as an academic discipline has not been given adequate attention in the region. In most cases, public policies in African countries have been studied from the banal lenses of development and underdevelopment (Himmelstrand et al. 1994). While development discourses help understand the mega ideational paradigms shaping development paths (Mkandawire 2014), they fail to highlight the conceptual paths foregrounding policymaking and administration in Africa. Although a lot has been written about the twists and turns in African politics and social transformation, the general tendency has been to view challenges and problem-solving efforts in Africa from a developmental standpoint (Mkandawire 2001). The inclination to analyse issues about the human condition and governance in Africa from *development* has resulted in a neglect of public policy study as a distinct field and deprived us of conceptual analysis that engages public policy and administration trajectories.

However, in that rich social science literature on Africa's efforts at socio-economic transformation can be gleaned conceptual paths that speak to public policy and administration politics in the region. This chapter discusses conceptual trajectories that public policy and administration in African countries have traversed since the early post-colonial era. It argues that public policy and administration politics in Africa have travelled along three conceptual paths since the early post-colonial era. In the first phase, public policymaking was mainly elitist in approach. Here, a public administration strategy was highly state-centric, centralised, and paternalistic. The second phase witnessed the imposition of specific policy ideas by a coalition of transnational actors using conditionality-based lending to compel compliance. Service delivery was entrusted in the care of private sector actors and non-governmental organisations (NGOs). While the third phase emphasised participatory policymaking, its public administration strategy emphasised public-private partnerships. These phases of politics of public policy in Africa are shaped by conceptual analysis and historically constructed to reflect the periods of the late 1950s to late 1970s, the 1980s to the late 1990s, and the 1990s to 2000s, respectively. The rest of this chapter sequentially discusses the three aforementioned conceptual trajectories that have shaped public policies' making and implementation across time and space in the region since independence.

The context of public policymaking in Africa

Politics and public policy have a symbiotic yet intricate relationship. This is so, irrespective of whether a country's institutional arrangement for governance is based on democratic ethos or authoritarian tendencies. Although all politics' primary business is public policy, the question has often been asked whether politics determines public policy or public policy determines politics. Public policymaking and implementation occur in political settings, and the relationship between politics and public policy is often shaped by whether a government is democratic or authoritarian, among other factors. In Africa, as elsewhere globally, a lot is expected of politics in managing the authoritative allocation of resources in society, yet politics has also been associated with duplicity, nepotism, corruption, inefficiency, and dirty deal-making. This, notwithstanding, politics is also considered the most crucial arena for dealing with problems affecting or affecting the well-being of society. As Hay (2007) noted,

politics is concerned, almost by definition, with the construction and, ideally, the realisation of a sense of the collective good. The contemporary association of politics with the pursuit of the material self-interest of politicians is, then, oddly antithetical to its very *raison d'être*.

(p. 20)

In working towards realising a sense of collective good, public policymaking and implementation are seen as the primary function of politics. Dye (2017), for instance, argued that public policy is "concerned with what governments do, why they do it, and what difference it makes," and this understanding of public policy includes what governments choose not to do (p. 1). Dye acknowledged the contributions made by other scholars, including David Easton, who defined public policy as *the authoritative allocation of values for the whole society*; and Harold Lasswell and Abraham Kaplan, who viewed the public policy as *a projected programme of goals, values, and practices*. Therefore, public policy is a proposed or actual course of action, including authoritative statements about what the government chooses to do or not to do and a guideline for achieving goals and objectives in furthering the allocation of values to society.

In Africa, public policymaking is shaped by several mutually reinforcing contextual factors. Such factors include institutions, events, policy legacies, regular occurrences, behaviours, and characteristics of the region that affect how actors approach the distribution and allocation of resources in the decision processes. First, the modern African state is artificial in many ways, including its external and rapid imposition, boundaries and moral basis. There is little integration of the centre and the periphery, weak institutionalisation of state structures, and virtually no civic ethic tradition (Sandbook 1985). This is largely because the colonial state from which the post-colonial state emerged was constructed to serve particular (colonial) interests. So it did not lay sufficient foundations for what is required for a state to engage in public policymaking adequately. The quest to build modern states meant that colonialism was the only basis to enlarge the frontiers of progress, which has implications for public policy. As Sandbook (1985) argued, the modern African state's artificial nature presented particular difficulties for legitimating post-colonial elites and public policymaking power. Second, Ekeh (1975) observed that the modern African state exhibits two publics' structure with different values and norms. These include (i) the primordial public whose values and norms are traceable to pre-colonial Africa and (ii) the civic public associated with the modern state system and Western values introduced during colonial rule. In Ekeh's (1975) analysis, the primordial public is moral, and the civic public is amoral. Both publics

place different sets of demands and expectations of policymakers. Under this condition, citizens and policymakers are compelled to navigate the complexities of the two politics in the distributing resources. The amorality of the civic public in which much of the distribution of resource (policymaking) is at variance with norms and expectations of most African societies. Hence, it presents policymakers with a dilemma (Ekeh1975) as they face conflicting loyalties in the policy process.

Third, as already extensively illustrated concerning Cameroon and Nigeria in Chapter 21 above, most African states are ethnically heterogeneous, usually superimposed on other forms (religious, ethnic, racial) of sectarianism. The heterogeneity has meant that communal and sectarian identity is primary, undermining the formation of national identity that is fundamental to modern states' cohesion and stability. This phenomenon has eliminated a key source of legitimation for political elites. It has created incentives for instrumentalising ethnicity for political purposes (Chabal and Daloz 1999), depriving policymaking of the rational calculus of means and ends as a basic principle. Fourth, as Hyden (2006) averred, African society and politics are characterised by predominant practices of an economy of affection in which investments in reciprocal relationships with others as a means of achieving goals that are otherwise impossible to attain are prioritised. Such investments may be an incidental or regular form of behaviours. Still, they are perceived as rational strategies for survival in environments burdened by "uncertainty and in situations where place, rather distanced space, dictates and influences people's preferences" (p. 74). Fifth, politics in African countries have been described as one characterised by a system of the social hierarchy of patron-client relationships, in which public officials (patrons) use state resources to secure the loyalty of clients (their followers) in the general population (Bratton and Van de Walle 1994). The patrons are seen as persons of power, status, authority and influence, who grants favours in return for goods, loyalty, political allegiance and other services from their dependent clients. This relationship is not only pervasive, it also supplants the state's bureaucratic structure creating a situation where only those with connections have real power, not those who hold higher positions (Berman 1998). Therefore, under patronage, public resources are used by persons in political office in a preferential (instead of meritocratic) manner, hindering effective policymaking. This is because public resource allocation is solely based on maintaining or buying loyalties at the expense of equity and efficiency.

Public policy making as elite decisions

In the period immediately following independence in Africa (the 1950s–70s), elitism principles influenced public policymaking. The elite theory of policymaking has its origins in the works of Gaetano Mosca (1858–1941), Vilfredo Pareto (1848–1923), Robert Michels (1876–1936), and Max Weber (1864–1920). These scholars postulated about how societies are organised and argued that societies consist of two main groups: the few who have power and those who do not. The small one who holds power has the ability and authority to allocate resources or solve society's more significant problems (Higley 2010). They are not typical of the masses and are usually drawn from relatively upper socio-economic strata of society. Elites share a consensus on the social system's fundamental values and how to preserve and improve upon it (Anyebe 2018).

Thus, what passes as public policy often reflects the elite's values, interests, and preferences and not the masses' demands. The elite perspective to policymaking became dominant in African countries immediately after independence and found expression in the modernisation discourses that guided development policy thinking at the time (Kpessa, 2011;

Mohammed 2015). The elite approach to policymaking effectively shaped early post-colonial Africa into two main categories: (a) an ordinary people who lack access to the knowledge and expertise to understand the complexities of decision-making and (b) the elites who, by access to training, skills, and knowledge were not only deemed more capable but are also entrusted with the responsibilities of decision-making (Kpessa 2011).

Modernisation as the central reference point for socio-economic transformation conferred significant authority and legitimacy on the political elites to transform their heavily traditional and agrarian societies into modern industrial societies. As such, modernisation scholars argue that the processes of post-colonial social transformation should promote shifts in power from traditional aristocratic and regional groups to small groups of elites who have the expertise and skills to design and implement policies on behalf of all the population as a means to promoting social change and order (Huntington 1968).

Consequently, public policymaking highly prioritised state-led modernisation, broadly defined as industrialisation, as the dominant reference point for socio-economic transformation (Apter 1965). The combined effect of the elite model and the logic of modernisation were reflected in development planning as the appropriate strategy for executing socio-economic transformation. Overall, the intellectual disposition towards policymaking in the early post-colonial period favoured exclusionary tendencies. This is primarily because the politics of public policy immediately following independence revolved around aspirations to knead together the constellations of ethnic groups forced into common national boundaries by the colonial regimes.

During this period, policymakers were concerned that the hard-won independence risked failure if no meaningful measures were taken to secure decent livelihood for the people. They encouraged the population to look beyond their parochial ethnic interest and instead embrace new national visions based on the collective approach to the struggle for independence. Therefore, the policy environment was one in which decisions were taken and executed almost exclusively by a small group of elites usually consisting of politicians and bureaucrats (Omanboe 1966). Although problematic, this approach to policymaking appeared to have some goodness of fit with the context of that era. The population truly expected the few educated elites to provide solutions for the many problems in newly independent countries. Ideally, the elites perceived the public not as a potential source of solution, but rather as the problem that the elites and the state bureaucracy exist to solve (Juma and Clark 1995). Prominent among the elites at times were the nationalist leaders who lead their various countries to independence and a network of expatriates and public servants who worked in the bureaucracies (Mkandawire 2005; Ndlovu-Gatsheni 2017).

Three primary considerations and intellectual dispositions shaped the public administration during this period. First, the agenda for solid national identity in African countries to win the citizenry's loyalty and allegiance compelled public administration to be seen primarily as a public affair. This found expressions in the direct production and delivery of services relating to education, health, housing, and access to potable water, sanitation, social security, and electricity to the population as part of the processes in constructing notions of citizenship. In some cases, the state bureaucracy was positioned to evoke a father figure's images by providing services at no out-of-pocket cost to the citizens (Kpessa and Beland 2013). Thus, public administration processes entailed building a recognisable national civic identity beyond any ethnic or primordiality. This allowed the new states to possess internal hegemony and achieve external recognition yet in a manner that is tolerant of the inherited social diversities (Grant 2006).

Second, public administration in the early post-colonial era focused primarily on ‘development administration’ (Riggs 1971), which was concerned with strategies to make development in terms of projects and life-changing programs genuinely manifest in the people’s lives. As Grant (2006) noted, the new “governments and their bureaucracies, their administrative agencies and processes, were expected to give reality to these anticipated fruits of independence and liberty” (p. 257). It was not just about the administration of law and order, although that was essential too; here, policymakers were more involved in designing complex systems to manage and carry out policies, programs, and projects to serve a developmental purpose. In practice, this was implemented across Africa through centralised planning programs that birthed massive building of schools, hospitals, houses, dams, bridges, and agricultural activities that brought the newly independent states closer to the people.

Third, the politics of public administration in the early post-colonial era is shaped by *Africanisation*. Africanisation of the public service sought to recruit persons considered to be Africans to replace non-Africans who were inherited from the colonial public service (Burke and French, 1971). Lungu (1980) noted that Africanisation involves “the process of replacing expatriate civil servants by nationals ... a process of transforming a colonial type civil service into a national one.” Furthermore, it meant the “training and development of this personnel ... a change in the spirit of service in accordance with the policies of new governments” (p. 1), and it was seen as central to the principles of self-determination as espoused in the struggle for independence. Nkomo (1986) observed that;

imperative of self-determination implied by independence and the need for rapid socio-economic development required immediate embarkation on a campaign to recruit Africans into the civil service. Moreover, this was a political requirement to demonstrate the ‘transfer of the loci of power’, thus lending legitimacy to the new regime.

(p. 326)

Africanisation was to eliminate the vestiges of colonial influence in the public bureaucracies in African countries, and a more appropriate strategy to inducing the kinds of loyalty, sense of duty, and commitment to the defence of the new states.

In Anglophone Africa, Africanisation was embraced, and policymakers were willing to temporarily sacrifice efficiency by replacing experienced Europeans with less experienced Africans. However, in Francophone Africa (except Guinea and Mali), policymakers were ambivalent about the whole idea mainly due to an enduring albeit problematic relationship with France (Weinstein 1967).

Imposition and conditionality-based policy making

A significant decline in economic growth and political instability marked the politics and processes of public policymaking between the 1980s and the 1990s in Africa (Konadu-Agyemang 2001). The period witnessed the profound influences of transnational actors in policymaking. The experience is seen as coercion, which involves the conscious imposition of one’s will or preference on another through sanction, fear, or threat of harm or in the extreme; use of physical force; and compliance emanates from the fear of the awful consequences of not complying (Dickerson and Flanagan, 1998). The economic crises in the 1980s provided the Bretton Woods institutions with an opportunity to define what they perceived as the challenges bedeviling African states. They effortlessly pushed for policy solutions that reduced national policy elites into mere ‘implementors of received wisdom’ (Williams 2008).

The transnational actors defined Africa's public policy problems as one of the over-bloated states whose activities stifled personal and individual initiative and prevented entrepreneurship and private sector growth. In their problem definition, the transnational actors launched a bristling attack on approaches to development in the early post-colonial which positioned the state as the primary provider for social services and its role in industrialisation and employment. They accused state bureaucrats and national political elites of acting solely on their whims and caprices in what was described by some as politics of the belly (Bayart 1993) and patrimonialism (Bratton and Van de Walle 1994). Despite evidence of the lack of judicious utilisation of public funds (Ayittey 2011), the economic crises of the 1980s had more to do with happenings in the international market where demand for commodities upon which African foreign exchange earnings depend had fallen drastically.

Attempts to draw attention to the problematic problem definition failed as the transnational actors took advantage of their financial resources capacities and the backing from Western leaders to impose one-size-fits-all policies of neoliberalism (Mkandawire and Soludo 1998). Through Structural Adjustment Programmes (SAPs), policymakers facing the possibility of social upheavals introduced drastic austerity measures irrespective of ideological leanings. The transnational actors' policies forced African policymakers to privatise state-owned enterprises radically. There was also the rolling back of the state, commodification, and commercialisation of social services such as health, housing, education, and water access.

Also, reforms involved promoting financial austerity, trade liberalisation, devaluation of national currencies, deregulation, cutting public sector cost retrenchment of the workforce, and eliminating state marketing boards (Boafo-Arthur 1999). Furthermore, these reforms encouraged private sector solutions to service delivery and applied private sector instruments and principles to solving public sector challenges. Governments that complied with the imposed policy ideas were allowed to access development finance from the World Bank, International Monetary Fund (IMF), and other transnational actors (Williams 2008).

Thus, through threats and inducements, policymakers in Africa were obliged to embrace neoliberal policies despite the harsh implementation conditions, most of which were met with popular resistance from the people. Even though neoliberalism underscores the philosophy of individual liberties and freedoms, the SAPs were implemented across Africa under authoritarian and military governments who fiercely resisted popular freedoms and liberties through protests and demonstrations. In other words, transnational actors influenced Africa's policy-making by evoking sanctions and threats (Owen 2002). They also monopolised information or expertise, using inducements, and manipulating economic cost-benefit strategies (Dobbin et al. 2007). As a result, there was a reduction of national policymakers' influence and capacity while similarly exacerbating poor and vulnerable conditions faced by the African's population.

This period witnessed the introduction of New Public Management (NPM) principles. Central to NPM was dismantling early post-colonial approaches to public administration and the state's replacement with NGOs and private businesses in service delivery. It emphasised the application of market and business management instrumentals and principles to public sector operations to enhance efficiency, productivity, and effectiveness. The natural vacuum created by diminishing the state's influence in Africa was immediately filled by new service actors under the broad umbrella of NGOs and others that were purely private businesses. NGOs are generally perceived as independent voluntary development actors who work without profit motives but are willing to join to improve people's lives and livelihood. Nelson-Nuñez (2019) noted that

since the 1990s, the number of NGOs and the resources directed through them has increased exponentially. Neoliberal policies that constricted government spending were a

precipitating factor of the NGO boom. Governments, with pinched budgets, unloaded service provision onto the non-profit sector.

(p. 447)

Undoubtedly, alternative approaches to public administration enlisted private sector ethos and non-governmental service delivery in Africa. Transnational actors and foreign philanthropic organisation channelled huge sums of money into development activities championed by NGOs in deprived areas in many countries across Africa. NGOs become new public service actors filling the gaps left through a reduction in the general role of the state services in general. The whole NGO approach to public administration was to abandon the top-bottom character of early post-colonial public service and replace it with a bottom-up approach. Baluku (2010) noted that supporters of this shift in public administration “argue that the shift to the NGO-led model of service delivery is pro-poor, and enables the grassroots people to participate in decision-making processes, and allow, bottom-up planning” (p. 12). However, NGOs did not replace governments entirely.

On the contrary, governments’ reach was curtailed, and some of their traditional roles were taken over by NGOs. Other administrative and service delivery approaches collectively known as Alternative Service Delivery (ASD) were also adopted (Kiggundu 2016). ASDs shifted the balance of public service delivery towards private sector solutions like contracting out, co-production, and other collaborative systems.

Policymaking as participation and co-production

Criticisms against the capture of Africa’s policymaking processes by transnational actors, and the neoliberal policies’ failure to deliver the growth and the well-being it promise and the shift to constitutional rule by most countries, foisted yet another approach to policymaking. Mainly from the late 1990s, the discourses around policymaking in Africa evoke terms like ‘citizenry engagement’, ‘public participation’, and ‘co-production’ (Obasi and Lekorwe 2014). This shift in policymaking beyond the dominance of powerful and resourceful elites and their international counterparts invites the citizenry into a deliberative process (Kpessa and Atuguba 2013; Peters and Pierre 2000). The rationale was that both the elite and policy imposition approaches had impoverished the citizens.

Thus, it was time to engage ordinary people as co-producers of policies since that would enable them to draw attention to potential adverse effects and assist state officials in averting them. As such, Cohen (1989) and Cohen and Sabel (1997) argued that those trusted with state power have a moral duty to directly solicit the views and preferences of the citizens, especially because such an approach gives citizens a sense of ownership of policy outcomes, and legitimises both the processes and policy outcomes. A participatory approach replaces the “didactic lecture-based approach, which treats villagers as passive objects for one-way information transfer and is largely ineffective for bringing about behavioural change” (World Bank 1994, pp. 85–6).

To facilitate a participatory approach to policymaking, the Post-Washington Consensus was designed to tone down the market fundamentalist ideas in the neoliberal policies implemented by recognising the state’s role in socio-economic transformation processes, and to socialise neoliberalism both in thought and in practice. Indeed, the emergence of a participatory approach to policymaking in Africa and other places was generally heralded by (a) declines of deference (Carroll and Carroll 1999), (b) pre-eminence of liberal democratic values since the 1990s (Carroll and Carroll 2004), and (c) rise of popular sovereignty (Yack 2001).

In Africa, citizen engagement in policymaking became explicit with democratisation (Kpessa and Atuguba 2013). Direct participation and democratic principles of good governance present citizens with opportunities to provide input into policymaking and demand transparency from state officials. The idea is to bring government to ordinary people's doorsteps and compel national elites, transnational actors, civil society organisations, and citizens to work together as producers and beneficiaries of public policies. Here is assumed that actors can clearly articulate their preferences and defend them or have the validity claims embedded in them supported or challenged by others (Risse 2000).

In practice, African governments have adopted strategies, namely, public opinion polls, survey notices, phone-in radio programs, comment periods, and opinion pieces. There are also public hearings, focus group discussions, workshops and seminars, feature articles, citizens' panels, advisory committees, citizens' forums, citizens' juries, policy reform commissions, and consensus conferences (Kpessa and Atuguba 2013). In recent times, policymaking inputs have also been sought from citizens and civil society organisations through social media platforms.

The politics of public administration in the post-adjustment era placed less emphasis on privatisation and the other purely market-based instruments. This is because NGOs had run out of steam due to donor fatigue, misappropriation of funds, and corruption. The private sector approach to service delivery made most services unaffordable and inaccessible to most of the population. It became clear that the state could not be ignored in public administration. Even the private sector and the non-governmental sectors needed the state to operate effectively. Thus, the public administration in the post-adjustment, while still adhering to neoliberal ethos, emphasised public-private partnership arrangement for the social services delivery. From the 1990s, public-private partnerships were considered the most appropriate and convenient way to deliver public service. According to Berthelemy et al. (2004), public-private partnerships is key in resolving African infrastructure and service backlogs. This is because over 600 million people do not have access to safe water, electricity, and other essential services.

In Africa, the shift has manifested in permitting private companies to perform duties that hitherto were the sole responsibilities of government agencies. These have included collecting road tolls, managing water supply systems, garbage collection, and revenue mobilisation. The contractual arrangements are often complex as they sometimes involves using state or public facilities for commercial purposes with sophisticated benefit sharing or payment agreements (Farlam 2005). In other situations the partnership arrangements involve what is known as Build Operate and Transfer (BOT), under which, private sector actors collaborate in public-private partnership arrangements to build essential service facilities, operate to recoup their investments, and transfer the property to the state after several years. Also, for further details, see *Chapters 18 and 35*.

Conclusion

The politics of public policy and administration in Africa since independence has witnessed shifting conceptual priorities. African policymakers are caught between their citizens from below-demanding accountability and transnational actors from above-demanding compliance. Transnational actors are unelected, and their actions may be at variance with the interest of ordinary citizens who expect their elected officials to act on their behalf. However, due to heavily endowed resource capabilities, transnational actors exercise greater leverage in making policy in African countries in a manner that undermines the principles of democracy. Those arguing for the international actors' involvement in African policymaking

find nothing undemocratic about it, given the realities of globalisation and democracy. This argument considers globalisation a process of interaction and communication between national and transnational actors. However, this is problematic because there are embedded power imbalances. Also, this argument suffers from a conceptual stretching that ignores the lack of internal democracy in transnational actors' operations. This chapter's broad generalisation of conceptual mapping ignores how national contextual factors in various countries filtered the contours of the conceptual shifting priorities.

Nevertheless, as Mkandawire (2014) argued, various 'ideas,' 'institutions,' and 'interests and incentives' that were imposed on Africa's post-colonial experience have ultimately resulted in "maladjustment" of the modern African state. To that extent, this chapter's conceptual mapping provides students with a framework to interrogate further issues, occurrences, actors, ideas, institutions, and interests shaping policy choices and design in specific policy areas in any of or all the three historical phases. This is essential if comparative public policy and comparative politics subfields in academic research are to make meaningful contribution to our understanding of the processes and outcomes of structuring and restructuring taking place across Africa.

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POLITICAL PARTIES, POLITICAL CHANGE AND PUBLIC POLICY IN AFRICA

A comparative study of Kenya, Tanzania and Ghana

Adams Oloo

Introduction

The epistemology of political parties and regime change in Africa and their governance roles has often paid inadequate attention to how these changes influence policy processes. The vast literature mainly focuses more on the relationship between political parties and democratization in Africa. However, from a public policy approach, this tends to paint an inconclusive picture of how these political changes translate to microscopic transformations in how government activities are organized and executed within a political system. First, how the feedback processes from implementing these activities in society relate to political parties' activities is understudied inside and outside most African governments. This is evident in the insufficient attention to how political parties shape political behaviours that pattern discursive policymaking processes such as mobilizing or coalescing different organized groups around a policy issue and offering alternative policy designs or articulating course of action sought after by the government. Thus, apart from demonstrating the relations between political party politics and the development of policy regimes in Africa from more autocratic to relatively democratic or participatory policy regimes, this review makes a moderate attempt to locate political parties' policy functions.

More recently, multiparty politics and democratic reforms in Africa have produced incremental changes over time that have resulted into an improved policy environment (e.g. Onyango and Hyden 2021). Undoubtedly, there has been, albeit inconsistently, the withering away of autocratic policy regimes since the 1960s due to, *inter alia*, the shifting ideological platforms in the international political economy and the collaborative role of internal and external pressures for political change, globalization and technology. These changes have directly and inexplicitly produced political behaviours akin to government performance while shifting attention from the *development-democracy* nexus to policy effectiveness or functional approaches (see Onyango and Hyden 2021, p. 2).

Still, despite the framework of analysis and sectors of emphasis in state reforms, the contractual relationship between the state and society rests in public policy's conduct and

products (Lindblom 1968). An objective of state reforms is to improve the policy effectiveness of its institutions and environments. Notwithstanding a prevailing party system, political parties play a critical role in improving public policy processes within and outside state institutions through their oversight and representation functions. This chapter pays close attention to these functional composites of governance by looking into political parties' influences and regime changes in public policy processes in Africa. My analysis draws on the review of extant literature to recommend how different actors outside the state can ideally engage with political parties to influence policy outputs. The selection of countries under analysis was based on their relatively viable party systems in Africa.

Political parties and public policy

In a liberal democracy, the general public or civil society's ideal way to contribute to the public policymaking process is through political parties. Competitive party politics provides an avenue for political parties to articulate to the general public the kinds of policies it intends to pursue to deal with various social issues or achieve development goals. Ideally, political parties provide avenues through which various interest groups, communities, professional bodies, farmers and business people or the civil society can promote different "world views" and interests that the civil society contributes to effective public policymaking in society (Odhiambo-Mbai 1998). Therefore, it is assumed that a political party wins an election based on its manifestos and ideology for political marketing, consequently getting the mandate to implement the policies contained in the said manifesto (Hyden 1984).

In this way, political parties play critical policy functions in a political system. First, and at the macro-level, public policymaking as a function of both state and non-state institutions involves the three traditional arms of government as guided by the principles of separation of power. These in various measures and capacities reciprocally make, implement and interpret public policies. Second, competitive political parties define the problems and provide multiple policy options. Third, interest or pressure groups coalesce around issues that they try and push into the policy agenda. Fourth, specialized research institutions, consultancy firms, universities and nongovernmental organizations (NGOs) conduct scientific research into the problem which informs the policy. Fifth, the private sector also lobbies the government on various public policy issues while at the same time making private policies that directly affect the public. Sixth, the mass media constantly tries to shape the perceptions of public officials and private citizens who are involved in the process (Van Horn et al. 1992). At the micro-levels, citizens as either party members or membership to other extra-institutional groups coalesce themselves around particular policies they perceive to affect them. This can be through different processes like protests and voting, thereby influencing policymaking processes.

This scenario, however, is more familiar with the literature on public authority and political affairs of the public policy process in the North, whose democracies have over the years managed to find a balance between different institutions of government and between the latter and other organized groups in the society. In the Global South, such a balance is yet to stabilize (Onyango and Hyden 2021). In Africa, for example, the process of policymaking is relatively different. It has been generally dominated by the executive at the expense of other institutions (Hyden 1984). Also, donor organizations have had a significant influence on party pluralism and public policy processes in Africa. Consequently, analysing public policy's political processes is a somewhat more complicated one that may require theoretical eclecticism.

Political parties, regime change and public policy in three countries: an analysis

A mixed bag of political experiences has shaped the policymaking process in the countries under review. Kenya has undergone multi-partyism, de-facto one-party state and de-jure one-party state. Tanzania has undergone multi-partyism and the one-party state, while Ghana has undergone the one-party system, military rule and multi-partyism. Kenya's broad policy framework has also been capitalist, unlike Tanzania and Ghana initially having a socialist framework.

Case 1: Kenya

Since its independence in 1963, Kenya has gone through different constitutional epochs with a bearing on the policymaking process. These include the multi-party; the de-facto one-party; the de-jure one-party phases, the second multi-party phase and the post-2010 constitution phase.

The first multi-party phase 1963–69

This period was characterized by oscillation between multi-party politics and de-facto one-party state politics. The multi-party period was in two phases, i.e. 1963–64 between Kenya African Democratic Union (KADU) and Kenya African National Union (KANU) and 1966–69 between KANU and Kenya People's Union (KPU). The lack of clearly distinct ideological and policy frameworks besides contestation over the independence constitution settlement saw KADU fold up barely a year after independence. However, cajoling and coercion also played a part. A clear policy framework for development was only unveiled after KADU's dissolution. Kenya was a de-facto one-party state in 1965 through Sessional Paper No. 10 of 1965. However, the absorption of KADU into KANU instead of enhancing policy harmonization exposed sharp policy differences within KANU's leadership, creating two factions that christened the "moderates" who were pro-capitalism and the "radicals" who leaned towards socialism. This divide led to the parting of ways that saw then Vice President Oginga Odinga form KPU.

KPU, in response to Sessional Paper No. 10 of 1965, unveiled the "Wananchi declaration," as their policy platform. The policy differences between the two parties were mostly on land, property ownership and foreign policy (Gertzel 1970, p. 44). However, KPU's existence in both the political and policy arenas was short-lived as the Kenyatta government banned it just before the 1969 elections making Kenya a de-facto one-party state. Just as the Kenyatta regime was agnostic of political party challenge, it was also agnostic to alternative policy forums. Therefore, right after independence, the regime strangled civil society through co-optation, intimidation and divide and rule tactics (Nyong'o 1989). This ushered in a policy environment primarily dominated by executive policymaking. Constitutional amendments enhanced the executive powers at the expense of the legislature and the judiciary and not short of suppressing alternative political parties and the emasculation of civil society.

The de-facto one-party phase 1969–82

The banning of KPU meant that KANU remained the sole party, and voters did not have any alternative policy choices during the 1969 elections. However, just as during the first de-facto period, KANU was a house divided. Although the dissenting voices did not have strong

leadership – they coalesced as backbenchers to provide alternative policy voices in parliament to the ruling party's position. As such, intra-party differences on policy matters brought in the national assembly between the backbenchers and government ministers became one method through which the policymaking process was conducted during this period, but it was largely subordinate to the presidency its bureaucracy (Odhiambo-Mbai 1998).

By the mid-1970s, however, the vibrant backbench had largely been silenced through sackings, intimidation and detention, transforming the parliament into a rubber stamp of executive policy decisions. The executive monopolized policymaking as civil society was restricted to the socio-economic arena and denied access to the political space. This is the policy framework that President Moi inherited upon Kenyatta's death in 1978. Notably, after banning KPU and with no official opposition, party affairs, including the party's role in policymaking, gave way to the civil bureaucracy.

When President Moi came to power, he did not only retain the status-quo. Still, he unilaterally decreed populist policies that endeared him to the citizenry but were not grounded in the constitution. In the first Jamhuri day celebrations on 12th December 1978, Moi announced far-reaching social and economic policies under his tenure. This included abolishing school fees up to standard six in the primary schools, free milk for all primary school children, a 10% increase in wage employment in all sectors (Daily Nation December 13, 1978). However, these pronouncements would later prove to be unsustainable.

The de-jure one-party phase 1982–91

President Moi, like his predecessor, assumed power with token symbolic actions against the ills of the past. The actions included a blanket release of political prisoners and detainees, rehabilitation of politicians like Oginga Odinga and other political and economic actions and pronouncements. But as resistance to his regime grew both from the political and from civil society forces, Moi used his executive power's control over the legislature to amend the constitution and made Kenya a de-jure one-party state.

The outlawing of opposition parties was followed closely by the constriction of the social space. The regime launched a spirited attempt to control social forces such as trade unions, students associations and women's groups, which were seen as potential sources of political unrest. Political co-optation and manipulation was the technique used by the regime to strangle these groups. For instance, KANU co-opted the umbrella women body Maendeleo ya Wanawake Organization (MYWO) and the umbrella trade union body Central Organizations of Trade Unions (COTU). Other civil society organizations (CSOs) such as the Kenya Consumer Organization, Kenya Chamber of Commerce and Industry and the Federation of Kenya Employers were befriended to silence them. Other methods included creating rival associations in a sector to blunt and/or divide the sector's voice as was effected by the farmers and Matatu associations (Oloo 2009).

Subsequently, in the mid-1980s, a revitalization of the ruling party to make it the centrepiece of policymaking was unveiled. The party's national office was strengthened through the creation of directorates for various functions. The party's disciplinary arm was strengthened to deal with errant members, and likewise, the parliamentary group was also strengthened. The end goal was to make the party superior to parliament. It is worth noting that this revitalization was effected after the party went benchmarking in China.

Consequently, policymaking remained mainly in the hands of the President and the civil bureaucracy. However, KANU never assumed a role similar to its counterpart, the Tanzanian African National Union (later Chama Cha Mapinduzi (CCM)) in Tanzania. It never

became the official custodian of a national ideology or the central arena for public policy. Nor did the party become an essential factor in implementing the policy by establishing a parallel organization to monitor the operations of the state. Thus, Kenya never evolved into a party state in the mould of Tanzania (Barkan 1994).

The return to multi-partyism under the old constitution – 1991–2010

The return to multi-party democracy in Kenya was primarily influenced by the end of the cold war and the end of one-party rule in eastern European countries. However, the proliferation of more political parties in the multi-party KANU era did not drastically alter the public policymaking process from obtaining in the one-party era. Although, it heralded more participation in the policy process as the opposition headed oversight committees in parliament. Likewise, civil society became vibrant, and both singularly and in collaboration with opposition parties set the policy agenda. Still, the presidency and the civil bureaucracy remained dominant in the process of public policymaking.

In 2002, National Alliance Rainbow Coalition (NARC) dethroned KANU from power. Thus, the genuine expectation that a new regime, especially a movement that had fought for change, would alter the policymaking process according to liberal democratic ideals. NARC, however, had teething problems that negatively impacted the policymaking process. First, it was an umbrella coalition party that had distinct parties within. Second, although the umbrella coalition party had a harmonized manifesto – the formation of the government was shared between the National Alliance Party of Kenya (NAK) and the Liberal Democratic Party (LDP). But with the NAK controlling the presidency and executive, they bypassed the Memorandum of Understanding (MoU) that brought NAK and LDP together, thus sowing seeds of discord at the infancy stage of the new regime. Third, NARC was an opportunistic alliance with no unifying ideology except the defeat of KANU.

However, due to the KANU regime's impunity and lacklustre performance, the NARC government scored quick success in various sectors, including education, civil service, anti-corruption, judiciary reform, transport and land (Hornsby 2012). These successes can be attributed to the transformation of the NARC Manifesto into a government policy document titled Economic Recovery Strategy (ERS). Nevertheless, despite the general successes under the NARC regime in the policy arena, the toxic feud between NAK and LDP undermined policy implementation. In the meantime, the presidency and bureaucrats continued to dominate the public policymaking process. This was partly a result of the amorphousness of the NARC coalition. Likewise, although the NARC government had a large parliamentary majority – it was divided along constituent party lines such that its parliamentary strength depended on the issue tabled before the house. Most of the resistance came from LDP, FORD-K and NPK in that order. Party whipping was incoherent, and government policies had no guarantee of drawing support from many of its members.

The policymaking process during this period did not also benefit from civil society as was anticipated. Unlike the 1990s, civil society was at a crossroads. Their partners in the democratization process were now in power, and their sworn enemy KANU was now in the opposition and ideally should have been their partner. This eventuality was very unpopular among the civil society ranks. The popular view was that civil society should work closely with the NARC regime but remain vigilant to contain any excesses by the NARC government in the policy implementation process. Eventually, the mainstream civil society was co-opted by the NARC government. With the official opposition too weak to do oversight – the presidency and civil bureaucracy remained largely dominant in the public policy implementation process.

Under the old constitution, the final policy implementation framework was executed under the grand coalition government that resulted from the contested 2007 elections. The first task for the coalition government was to harmonize the manifestoes of the Party of National Unity (PNU) and the Orange Democratic Movement (ODM). This was on paper, but loyalties remained aligned to the two principal leaders in the cabinet and parliament, with the President's side having the upper hand. It was in control of key bureaucratic positions, including the Head of the Civil Service and the Attorney General. Given its numbers in parliament, ODM had the key position of parliament speaker, primarily used as leverage. Policy implementation during this period revolved around the President, the Prime Minister and the civil bureaucracy. The Prime Minister led government business in parliament while the Head of Civil service steered the operations of the civil bureaucracy.

Public policy implementation under the 2010 constitution

The 2010 constitution was operationalized after the 2013 election. The two novelties in this constitution that were of relevance to public policy processes include (i) the enactment of a pure presidential system that replaced the hybrid system and (ii) the system of devolution that replaced the centralized system (CoK 2010). First, the pure presidential system separated the executive from the legislature to the extent that members of parliament (MPs) are barred from being members of the executive and vice-versa. Thus, the CoK 2010 deburred the executive from directly prosecuting its policy positions in the house through cabinet ministers. Therefore, both parliament and the presidency are independent policymaking sites with direct electoral mandates independent of each other. Even so, the political reality in Kenya has seen members of the President's party view themselves as government members, with the majority leader viewing himself as the government's spokesman in parliament.

Similarly, committee chairs consider themselves as representing their respective executive departments in parliament. Likewise, the minority side has seen themselves representing the opposition to the extent that they pushed for standing orders to be revised to compel oversight committees in the Parliament to be chaired by the minority, their numbers notwithstanding. However, the President and the civil bureaucracy continue to be at the centre stage of public policy implementation.

Case 2: Tanzania

Public policymaking in independent Tanganyika (later Tanzania) has undergone three phases, i.e. the de-facto one-party period 1961–63, the de-jure one-party period 1965–92 and the multi-party period 1992 to date. Unlike Kenya and Ghana, the ruling party in Tanzania has been strong and institutionalized. Tanzania has known only one ruling party, unlike Kenya and Ghana. Likewise, Tanzania has had two distinct economic frameworks, with socialism holding sway between 1967 and the mid-1980s and capitalism finding its way back from the mid-1980s to the present. It shares some similarities with Ghana, which was also initially socialist under the reign of Kwame Nkrumah.

The de-facto and de-jure one-party state period: 1961–92

Tanzania got independence under a liberal multi-party constitutional framework but soon slipped to a de-facto one-party system and subsequently a de-jure one-party system in quick succession, first under TANU and subsequently CCM. This transformation was anchored on

several developments, including first the merger in 1964 of Tanganyika and the independent island state of Zanzibar. This saw the formation of a semi-federal union henceforth known as Tanzania and second the entrenchment of the Africanization process. TANU officials replaced most expatriates in the administrative unit both in the urban and in the rural areas. This move would later play a central role in entrenching and institutionalizing the party throughout the country (Barkan 1994). The President and the party became the centrepiece of policymaking, unlike Kenya and Ghana, where the President and the civil bureaucracy reigned.

Tanzania became a one-party state by law in 1965. President Nyerere's first step in establishing the party as the supreme institution in the Tanzanian society was to play a vanguard role in its development. Its leadership would determine how Tanzania would achieve socialism and self-reliance and direct other public and private institutions toward this goal. Accordingly, TANU established an extensive apparatus that paralleled all state institutions down to the village level. Basic political representation was via party organs, the lowest of the neighbourhood cell of ten households and the highest the National Executive Committee (NEC). Party organs from the cell up through the ward, division, district, region and NEC meet regularly to determine and implement policy (Barkan 1994).

Unlike Kenya, the principal institutions of the Tanzanian state lost their autonomy to the ruling party. In the legislature, up to 25% of the seats were filled by presidential nominees affiliated with TANU, like the national women's organization or the Tanzania Parent's Association (TAPA). Unlike Kenya, the first duty of MPs was to propagate TANU policy rather than address the problems of their constituents. Parliament, to this end, was a rubber stamp of the party. Similarly and again, unlike Kenya and Ghana, the civil service was under tight party control. Party institutions watch over state and parastatal agencies. Particularly significant was the party's control over the rural, regional and district administrations. Thus, the civil service was politicized, with loyalty taking centre stage at the expense of professionalism (Barkan 1994).

Thus, the party and its leadership were at the centre of policymaking, and other agencies, including civil society, played a very minimal role if any. Except for the church, civil society was subdued. From the mid-1960s onwards, all independent associations were either banned or brought under the ruling party's control. Ethnic associations were outlawed as early as 1962, while the labour movement, the women's organization and the parent's association were co-opted into the party. The most significant encroachment on rural civil society was the abolition of 1976 independent cooperative societies and their replacement by the cooperative union of Tanzania (Barkan 1994).

Subsequently, TANU's monopolization over rural associational life also discouraged and inhibited the emergence of self-help community development organizations like the type that thrived in Kenya. President Nyerere presided over a socialist economy that faced bottlenecks as Tanzania became a predominantly capitalist international system. By the mid-1980s, it was clear that Nyerere and CCM's economic ideology was facing headwinds, and rather than preside over a change of economic ideology, Nyerere chose to retire. He was replaced by Ali Hassan Mwinyi, a Zanzibari, who was inclined to accept the conditionalities set by the donors, unlike his predecessor. The departure of Nyerere from the state but still clinging to the party heralded internal contradictions and demands for economic accountability and political accountability. The result was the de-linkage of the party from the state that coincided with Tanzania's return to multi-partyism in 1992.

Although several parties were formed thereafter, none was strong to challenge CCM, and the latter remained the ruling party, albeit now with weak opposing voices. CCM remained

the dominant policy arena framework, but its de-linkage from the state saw the legislature also emerge as a forum for deliberation and public policy. The political and economic front changes had a spiral effect in the associational space in Tanzania that saw the re-birth of civil society. This was evidenced by the re-emergence of independent businesses and professional associations in the urban areas and the re-establishment of cooperative societies in rural areas. Likewise, there was the emergence of a free press heralding for the first time forums for alternative voices. Although the re-emergent civil society was not as vibrant as that of Kenya, it was similar in its focus on self-help development associations sprouted in rural areas.

The return to multi-party: 1992–present

By 1993, CCM had reconciled itself to governing with a fragmented and weak opposition that had no representation in parliament. Therefore, the challenge to CCM's dominance in policymaking was not opposition parties but rather external forces whose influence began around 1986 when Mwinyi's regime accepted and adopted the structural adjustment programmes (SAPs). The transition period to multi-partyism thus saw policymaking being anchored in the ruling party and the donor community. Multi-partyism compelled CCM to de-link itself from several public institutions, including the military, represented in party structures as the 26th region of CCM and several CSOs integrated into the party-state structures. These included the Trade Union (JUWATA), Co-operatives (WASHIRIKA), TAPA, Youth's Association (UMOJA WA VIJANA) and Women Association (UWT) (Kiondo 2010).

This de-linkage gave civil society room to manoeuvre in the policymaking arena, albeit minimally. Subsequently, CSOs that have some bearing in the policy processes in Tanzania focused on issues pertinent to their stakeholders and the pressure points that could deliver the mission. The salient sectors include gender, land, human rights, education, professional interests and the environment. In turn, the pressure points and lobby avenues have been MPs, the President, the media and the judiciary. On gender, several women from CSOs, TAWLA, WLC, TGNP, TAHEA, etc., succeeded in influencing the land policy initially gender blind through advocacy, lobbying, raising public awareness and networking directed at policymakers (Kiondo 2010).

Thus, the central role of CCM in the policy process has seen new entrants, namely, the government bureaucracy and the donor community. Unlike Kenya, where the President and the civil bureaucracy dominate policymaking, the party and President dominate policymaking in Tanzania. Tanzania, however, shares with Kenya a strand of policy driven by foreign aid. The two countries rely on foreign assistance that curtails indigenous institutions from directing policies in issue areas dominated by foreign technical assistance and funding.

Case 3: Ghana

Ghana was the first country in sub-Saharan Africa to gain political independence in 1957. A new constitution was promulgated for the independent nation in 1957 that had a parliamentary system of government with the Prime Minister as Head of Government and the British Monarch as Head of State. Amendments to the constitution in 1960 transformed Ghana into a republic and subsequently a one-party state. In turn, the one-party state became authoritarian, and inbreeding resentment gave rise to numerous military regimes in 1966, 1969, 1972, 1978, 1979 and 1981. The coup of 1981 set out to implement far-reaching reforms that set the country back on the path to democracy and development that saw a new constitution

of the Fourth Republic in January 1993. To this end, public policymaking in Ghana has undergone three broad phases since its independence: the multi-party period, the one-party state and the military regimes periods. Unlike Kenya and Tanzania, Ghana experienced prolonged periods of military regimes that profoundly impacted the policymaking process.

The initial multi-party period and the one-party state: 1957–66

Policymaking during this period was exclusionary to the President and bureaucrats. The quest for executive policymaking was signalled as early as 1957 when Nkrumah made parliament outlaw all tribal and regionally based political parties besides embarking on the socialist path to steer national development policies. The making of the 1960 constitution, for example, was conducted in an elitist and exclusionary manner (Gyimah-Boadi 2010).

Subsequently, policy formulation and implementation were primarily undertaken by political elites and a small group of bureaucrats who often kept policy discussion opportunities away from the general public (Omanboe 1966). For instance, Nkrumah publicly announced plans to establish the country's first national pension plan at an occasion to commission the office complex of the Trade Union Congress (TUC) before any policy discussion on the issue with bureaucrats and other members of his government. This approach to policymaking left no room for public participation. Consequently, policymaking was viewed as an art of secrecy reserved for a few trusted elites. This period saw the state take a very determined character that intimidated the active participation of interest groups and other social forces in policymaking.

The civilian and military regimes: 1966–92

In 1966, the first military coup took place in Ghana, ushering in the first military regime and setting future ones. Just as during the one-party state, policymaking was monopolized by the ruling military elite and bureaucrats. The first military regime appointed a cabinet of civil servants and banned political parties until 1968. The successive military regimes beginning in 1966 hardly tolerated dissent or public discussion on government decisions (Ohumeng 2005). Likewise, the short-lived civilian party governments between 1969 and 1972 and 1979–81 were either unable or unwilling to open up the political space to permit citizen engagement in public affairs (Amoako-Tuffuor 2008). A new constitution always marked the return to civilian rule. The 1969 constitution created a parliamentary republic with the President as the Head of State and the Prime Minister as the Head of Government.

The Busia 1969–72 regime started on a democratic platform but subsequently veered towards authoritarianism. In the formative years, the Busia regime upheld liberal values such as a free society and egalitarian principles, including policies that involved the masses. But subsequently, authoritarianism, as exemplified in human rights violations and mismanagement of the economy, contributed to his overthrow in 1972 (Danso-Boafo 1996). Thus, Busia was no respecter for democracy. He interfered with the independence of the judiciary and sacked senior civil servants. He also crippled the TUC by banning the compulsory levying of dues on all union members.

The next civilian regime was of Hilla Limann, who reigned between 1979 and 1981 and is recognized for his respect for tenets of democracy. He changed foreign policy programmes from those favouring the communist agenda to those that embraced capitalist orientation. His regime, however, was short-lived and left no impact on the policymaking arena. The different military regimes clamped down on social activism and dissenting views (Berry

1994). All the four military regimes which reigned between 1966 and the early 1990s trampled and subverted the fundamental rights of the citizenry (Boafo-Arthur 2005). Besides, there was the diversion of funds to expand military interests and redistribute political and economic power among military elites (Decalo 1973). Thus, unlike Kenya and Tanzania in corresponding years, policymaking in Ghana was devoid of a defined policy framework and partly explained by the lack of institutionalized parties and frequent regime change.

This void was replicated in the military regimes. The first military regime reigned between 1966 and 1969 and was under the reign of General J.A. Ankrah. He had very little impact on policy issues and was largely a transactional and autocratic leader. The second military regime reigned between 1972 and 1978 under I.K. Acheampong. His administration's main policy benchmark was the agricultural programme—dubbed operation “Feed yourself.” The programme was participatory and resonated well with Ghanaians (Amamoo 2007). In 1975 the regime launched phase two of the programme—dubbed operation “Feed your industries.” The emphasis was on producing certain cash crops, including rubber, sugarcane, cotton, groundnuts and cashew for export (Amamoo 2007). However, despite sound participatory policies in the formative years, he refused to accept professional advice on economic and fiscal policies, which led to high inflation due to rising budget deficits contributing to his ouster from power.

The last military regime under Jerry Rawlings (1979–92) was a mixture of bottom-up and top-down leadership. His regime presided over the most ambitious political and economic reforms resulting in the 1992 liberal constitution. Economically, his regime created the Economic Review Committee to assess the economic crisis and offer solutions. This was the background of the economic recovery program that was launched in 1983. The Economic Recovery Program (ERP) was developed in an elitist manner and was designed by a few Ghanaian technocrats with the support of the International Monetary Fund (IMF) and the World Bank. Although Rawlings opened space for civil society activities and participation, the involvement of citizens in nation-building was similarly curtailed by strongman tendencies.

The return to multi-partyism: 1992–2020

The return to multi-partyism enhanced broader citizens' participation in political life and acted as a catalyst to the democratic struggles in the country (Aidoo 2006). Since then, CSOs in public policymaking in Ghana have evolved from minimal involvement to greater engagement in various policy process stages. Draht (1996) observes that before the return to multi-party democratic governance in 1992, the space for civil society participation was severely curtailed and subdued. The democratic transition drastically changed the political environment enabling civil society actors to influence government policies proactively.

However, the national economic policy did not immediately involve public participation. In 1995, protests against introducing the value-added tax occurred due to the National Democratic Congress (NDC) government's refusal to discuss economic policy issues with the extra-parliamentary opposition. NDC maintained the technocratic approach to economic policymaking in operation since 1983 (Akwetey 1998, p. 17). The 1995 riots sparked a process of political opening evidenced in one way by the government's decision to hold two national economic forums between 1996 and 1997. Abugre (2001) describes the 1997 forum as a “landmark event” that provided the first formal opportunity for the public, including opposition parties, independent research institutions and civil society, to contribute to economic policy.

Consequently, in Ghana's Fourth Republic, the civil society and private sector actors significantly influence policymaking. This is contrary to the policymaking process in the 1980s under the bureaucratic authoritarian Provisional National Defence Council (PNDC) regime. The latter centred on a small macro-economic team of government officials with support from the Bretton Woods institutions and characterized with little information disclosure to non-state actors such as civil society and the private sector.

The opening up of the economic space was further witnessed in May 2001 when the New Patriotic Party (NPP) government introduced an annual National Economic Dialogue (NED). NED brought together various stakeholders: academic institutions, civil society and private sector actors to discuss national economic importance issues and "build consensus on the way forward for the Ghanaian economy" (Government of Ghana 2002.). Thus, the multi-party period has experienced mixed fortunes for public policy processes by different regimes. The reigning Nana Akufo-Addo has continued with an open space for non-state institutions cultivated under Rawlings civil regime. Ghana paints two contradictory policy epochs classified into the authoritarian that dominated the civilian and military regimes between 1957 and 1992 and the liberal era from 1993 to the present.

Conclusion: non-state agents and political parties in the policymaking process

This chapter has demonstrated how the policymaking process has largely been dominated by the ruling party and state organs, albeit to varying levels in each of the three countries. The civil society's role in the policymaking process was enhanced since the return to multi-partyism in the early 1990s, with minimal impact. Similar experiences were, in varying degrees, prevalent in Africa (see, e.g. *Chapter 24*). Therefore, strengthening engagements between the non-state reform agents and political parties in policy outputs in Africa today may include: First, interest groups and NGOs need to partner with political parties either institutionally or on specific issues to influence policy processes. Second, the citizenry/private individuals who double up as party members should champion internal democracy within political parties.

They should compel their respective political parties to provide avenues through which various interest groups, communities, professional bodies and civil society, in general, can input into the policy agenda. Third, advocacy groups should become outside players looking in at the legislative level. Such advocacy groups should lobby legislators irrespective of the parties they belong to influence the policy output. Fourth, civil society think-tanks and research institutions can enter into a partnership or unilaterally generate reliable data and research which political parties can tap into the public policymaking process. Where such linkages exist, they should be strengthened, including training party members on the public policy functions of the party.

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POLITICAL TRANSITION, POLICY CHANGE AND IMPLEMENTATION IN ZAMBIA

Musole Siachisa

Introduction

Policy implementation is influenced by a complex mix of factors (Peter 2000), ranging from political, economic, socio-cultural, administrative, technological, to religious. Most importantly, studies show that each political transformation facilitates a particular policy framework or regime. This chapter demonstrates this by looking into the relationship between political transition and policy implementation in Zambia. Political transition is understood here as the evolution of governance environments in terms of institutional structures, philosophical shifts, legal landscape, etc., that shape the performance or implementation of different policies or policy frameworks over the years. This chapter demonstrates how political transitions in Zambia have influenced policy implementation from 1960s to date. It shows how the history of public policymaking in Zambia is marred by inconsistencies, policy reversals and a shift from conservatism, for instance, in the 1970s and 1980s to liberalism in the 1990s.

In all these cases, policymaking was elitist. In some cases, the public had to learn about the policies during their launch or through some pronouncements by the ruling party, as was the case in 1968 during the Mulungushi and Matero Declaration by President Kaunda when he announced a programme of nationalisation of private-owned companies (Fundanga 1994). This was done within the political context where President Kaunda, like most of his peers in the region, considered himself above party politics and minimised political spaces for policy debates and criticisms (Kees 1995). In 1973, President Kaunda declared Zambia a One-Party State where the party (United National Independence Party or UNIP) was more superior to the government. The pronouncement was a significant turning point as it consolidated exclusionary policy formulation practices until the 1990s. Due to economic malperformance, the government adopted a multi-influencer stakeholder consultative approach to policy formulation and implementation. The stance by President Chiluba in 2000 to try and ignore the constitution and stand for the third term became another contested terrain for citizen participation in policymaking in Zambia, resulting in violent protests.

In the Kaunda administration and successive governments, Cabinet appointments are often for party loyalists who hardly oppose the president. Therefore, policy formulation in Zambia has largely lacked consultation and citizen participation, resulting in little, if any, effective implementation. While the pre-independence policymaking process had been

predicated on selective racial minority, the post-independence process has tended to be centralised, elitist and exclusionary.

The following section presents policymaking processes in Zambia from a historical perspective and corresponding policy processes that characterised political transformations (from the colonial era to date), followed by a conclusion.

Political transitions and policy implementation in Zambia

Zambia's pre-independence era (colonial regime)

Public policies of the Colonial administration and their implementation were based on the colour-segregation ideology of that time. In 1924, the British South Africa Company (BSAC) transferred its administrative responsibilities in Northern Rhodesia to the Colonial Office, and a Legislative Council was created that effectively excluded Blacks. The switch from Company to Crown rule exacerbated the plight of the African population because policymaking and implementation maintained the colour-segregation ideology of the BSAC rule. For instance, the first governor, Sir Herbert Stanley, tried to transform Northern Rhodesia into a 'white man's country', bridging South Africa and Southern Rhodesia with British East Africa. This encouraged European immigration and set aside blocks of land exclusive to Europeans.

By 1930 some 60,000 Africans were forced to move from the lands reserved for white settlers. Even the implementation of social policies in education and health followed the formally instituted categories of Europeans, Asians (who came into the country as traders and shop owners), coloured (offsprings of black and white unions) and Africans, in that order of importance. Also, because the economic situation demanded that the African had to provide cheap labour for the mines, the Colonial administration provided Africans with social services such as health and education to have a healthy, literate labour force. Since mining was in urban areas, the health and educational services provided were first and foremost to the urban Africans rather than the rural African population in the majority (Simon 1985).

The colonial policy implementation can be analysed from an economic perspective. The most important development in the early 1920s was vast deposits of copper in Northern Rhodesia. The copper industry in Northern Rhodesia's economic development was financially significant. In the 40 years before independence, over 400 million pounds generated in Zambia were exported to the developed world and Southern Rhodesia primarily by the copper mines. A decade before independence, the two copper-mining groups, Rhodesia Selection Trust and Anglo-American, sent 260 million pounds in dividends, interest and royalty payments out of the country.

Similarly, the British treasury collected approximately 40 million pounds in taxes from Northern Rhodesia and spent only 5 million pounds on development (Simon 1985). Even when it came to the labour policy, companies organised their labour force based on other British colonies like South Africa. Skilled work was for white workers and semi-skilled and unskilled work for black workers, i.e. the colour bar. High wages were paid to the whites, while African wages were at deficient levels. By 1945, there were 44,000 Africans and 6840 whites working on the Copperbelt.

This rapid industrial expansion had profound social and political effects. It reinforced the character of Northern Rhodesia as a vast labour reserve. Most rural areas suffered impoverishment through the absence of able-bodied men in the mines, both within and outside the territory. Similarly, racial conflict sharply increased. Many Africans were living and working

alongside Europeans in towns within Northern Rhodesia for the first time. Africans began to be aware of themselves, not simply as tribesmen but as indispensable labour forces. As a result, for the first time in 1935, Africans briefly went on strike at three mines, though they lacked the organisation for sustained industrial action. The Colonial government would still not allow African unions to be formed, and in the absence of any other effective negotiating machinery, Africans formed 'welfare societies' throughout the Copperbelt. The policy framework for implementation was based on the colour-segregation ideology. Policy implementation championed the well-being of whites over black people.

Zambia's post-independence era

Zambia's post-independence political and economic milieus experienced three major transformations: The First Republic (1964–72), the Second Republic (1972–90) and the Third Republic (1990–present) with an emerging era of the Patriotic Front (PF) regime (2011–date). Each phase has been characterised by a distinctive political ideology and preferred approach to managing national affairs, emphasising policy implementation.

The First Republic (1964–72)

The implementation of Colonial policies was discriminatory so much that the Colonial regime left a distorted inheritance for Zambia. For instance, the colonial economy was lopsided; in 1964, 47% of GDP was generated by mining, while agriculture (commercial and subsistence) accounted for only 11.5% and manufacturing for 6% (Simon 1985). The polarisation of mining, manufacturing and commercial farming in the Copperbelt and the rail line implanted a centre/periphery pattern upon the colony's space economy, i.e. how the economy became manifested regionally or spatially. Therefore, the new Zambian government faced the momentous task of restructuring the social system to raise the standard of the rural majority. Against so many expectations, Zambians had political emancipation, both from Britain and from the white supremacies. However, this was only the beginning of a new struggle for self-reliance and Socialism within a national philosophy of Humanism.

The First Republic was characterised by political pluralism combined with the political dominance of President Kenneth Kaunda and his party, the UNIP. Zambianisation was the popular policy in which indigenous Zambians were to take over jobs, industries and national administrative roles from foreign experts to provide jobs for ordinary Zambians and empower them. However, most of them were either untrained to fill these vacancies or had no experience whatsoever. Indeed, some of the appointments to these positions were based on political patronage, especially to the ruling party (UNIP) loyalists. Policy and decision-making were highly centralised because there were no divergent views since the president had more powers.

As was the case in many newly independent African states, the concentration of executive powers in the presidency also characterised the political process in Zambia. Mulungushi (2003) indicates that President Kaunda was the country's chief policymaker. He and his closest advisors made all policy decisions during his administration. This administrative setup led to the failure of most policies after implementation because there was minimal consultation on most policy issues coupled with the challenge of having few qualified manpower to run the administrative machinery and a weak administrative system.

Humanism was the official ideology. Humanism is a set of ideas by which the Zambian rulers explained and justified the ends and means of their policy actions. It was a relatively

consistent political belief system that had no unambiguous class basis. It did not aspire to represent simply concrete particular interests but rather the general interests of the citizens. Like many other post-colonial populist ideologies, Humanism maintains the fundamental principles of nationalism and socialism in opposition to imperialism and capitalism. The ideology of Humanism is rooted in Kaunda's own Christian beliefs and ideals of mutual respect and cooperation, which he saw as characteristic of pre-industrial African society. Arguably, government policy invariably flowed from Humanistic principles.

Tordoff (1980) points out that in so far as Kaunda is himself both the creator of Humanism and the Chief architect of his government's major policies, Humanism undoubtedly informed the government's major policies and implementation. For instance, the Humanistic principle of equality led the Government to develop a productive African agricultural sector and improve the rural standard of living. The Kaunda administration also nationalised the mining industry to curb domestic exploitation of the indigenous Zambians. Education and health user fees were abolished in the respective sectors. The first republic ended with a one-party state after a constitutional amendment. Despite violent protests, Kaunda decided that a one-party state would be in the country's best interests like it was commonplace in Africa around that time.

The Second Republic (1973–90)

The Second Republic was born with the emergence of a one-party state in which power was further centralised and concentrated in President Kaunda and the party's central committee. There was a party and government amalgamation popularly known as the PIG (the Party in Government). The president was constitutionally given greater political, economic, and social and administrative authority with many vague loopholes that left the president as the most powerful individual in the country with no proper checks and balances to his powers. Saasa (1994, p. 12) indicates that a "distinctive feature of Zambian politics under Kaunda was the dominance of the UNIP and the high degree with which opposition to government policy was challenged and suppressed". Also, Kees (1995) points out that the opposition to Kaunda became stronger as the economy collapsed due to external factors such as falling copper prices.

Further, the state assumed greater economic powers by introducing a socialist type of economy. The state assumed a greater role in running the economy, with almost every government-controlled or -owned sector. All the policies were formulated and implemented on socialist principles. The government considered the mining sector so important for development, hence their nationalisation by the beginning of the 1970s. Zambianisation was the popular policy in which indigenous Zambians were to take over jobs, industries and national administrative roles from foreign experts to employ the ordinary Zambians. Following Zambianisation, the administrative organisations left behind by the Colonial regime were run by unqualified administrative functionalities loyal to the party.

Consequently, most of the policies implemented during the period under review did not perform well. Again, the structure of each institution ran parallel to the function of another, leading to duplication of responsibilities. A party official generally ranked above government official equivalent function in seniority, which was frequently reflected in how decisions were made.

A feature of Zambian political life was the frequency of government reorganisation and ministerial re-shuffles. This had a destabilising effect on the government while providing President Kaunda with the power of initiative. The Central Committee was composed of full-time members mainly elected by the National Council, with nominations being made after consultation with the president. With the advent of large full-time membership and an

increasing attempt by Kaunda to adhere to the state party policies, the Central Committee had acquired a more detailed role. For instance, in 1978, the president announced a decision effectively to make ministries (and ministers) subordinate to the appropriate Member of the Central Committee (MCC).

It was already the case that the Central Committee was effectively the final authority for most crucial policy issues, with most legislation being approved by a joint Cabinet/Central Committee legislation sub-committee. Moreover, a full-time Central Committee almost inevitably entailed the growth of a Secretariat to service its activities, hence duplicating administrative functions of the civil service. Retrospectively, there was hardly a distinction between the party and the government. Indeed, all decisions were made for the 'Party and its Government'. This situation undoubtedly resulted in frustrations on the part of ministers and civil servants and the politicisation of the instrument of policy implementation (civil service). This feature has been prominent in all successive governments in Zambia. Consequently, most policies failed, if at all they were implemented. The UNIP's supremacy over all institutions resulted in more problems because of the inclusion within the Party and Government of a range of political viewpoints that also pulled in different directions leading to confusion regarding policy implementation.

During the period under review, full participation of different interest groups in policy issues was very difficult since the government did not take in criticism and challenge. The only organisation that raised its voice against certain policy issues was the Zambia Congress of Trade Unions (ZCTU). The ZCTU drew its strength from the mineworkers union. Being the largest and strongest union in the country, they used this strength to challenge policy decisions by the government. In 1985, for example, ZCTU challenged the Structural Adjustment Programme (SAP) measures on the wage freeze, price decontrols; removal of subsidies and retrenchment. The challenge of ZCTU to Kaunda was a cautious one and not a complete rejection of the SAPs. Thus, the ZCTU supported privatisation and relaxation of government restrictions on foreign investments (Saasa 1994). Civil society organisation was not fully developed in Zambia except for trade unions in the mining sector.

Other interest groups such as student unions supported the opposition of the trade unions to the SAPs. Such kind of opposition was compounded by the then deteriorating socio-economic performance of the economy. This created a favourable environment for popular opposition to government policies in the context of falling incomes and standard of living in general (see Saasa 1994). By October 1985, pressure on Kaunda and his government through strikes had increased, and consequently, Kaunda announced the abandonment of the SAPs in May 1987. The food riots of 1986, which claimed some lives on the Copperbelt, compounded the situation. Apart from these pressure groups (ZCTU and student unions), Kaunda also had an internal struggle within UNIP. For example, Kaunda had among his cabinet persons who supported the International Monetary Fund (IMF)/World Bank reforms. There was no consensus on the roadmap and the content of the SAPs because his own ministers, who were not convinced that the programme would work, were isolating Kaunda.

The question that needs to be answered is: To what extent was Kaunda influenced by the realities of the economy to adopt SAPs despite his socialist inclination and the opposition from interest groups, mainly the students and the trade unions? The economic situation worsened and got out of hand, and Kaunda remained with no meaningful option. Though the interim plan-growth from its own resources plan of 1987 could be described as successful, the World Bank labelled it as a failure to pull Zambia towards their designed economic management programmes and seek assistance from the international community through the IMF/World Bank.

Notably, trade unions at least succeeded in raising awareness among the people of Zambia to start organised resistance to the Kaunda government and managed to capture the power of the state, as evidenced by the government's action to backslide in May 1987 on its policy of restructuring. Though this was a temporary situation, it set the stage for popular revolts against the UNIP government. Apart from the trade unions and students, others like the farmers' unions and the business community. Although the farmers were affected by the reforms through restrictions on subsidies, they were not an organised force to bring sufficient pressure on President Kaunda's government due to constant suppression by the party's supremacy. Like the farmers' organisations, the business community did not constitute a unified powerful lobby group like the mineworkers' union. During this period, civil society had not developed in Zambia. There were limitations to access to information, and there was no framework to allow all stakeholders to participate in policy issues.

Thus, the private sector remained fragmented. Each industrial sub-sector in Zambia tended to plead for its own special needs and requirements and usually bargained with the government independently of other sub-sectors. For example, in the SAPs area of trade policy, industrialists had a strong division regarding trade liberalisation policy and its likely impact on their operations. Because of this fragmentation, there was no organised resistance to the introduction of SAPs by business people. Such institutions as the Zambia Association of Chambers of Commerce and Industry (ZACCI) in the private sector did not represent a strong lobby against the government, thereby hardly influencing the nature and content of policy development and implementation. President Kaunda monopolised the power structure at the highest level and made his government possess considerable latitude over indigenous (as opposed to external) private interest groups (Mulungushi 2003).

Therefore, between 1987 and 1989, there was an apparent absence of strong institutions of democratic representation, allowing President Kaunda to dominate decision-making on national visions and agenda with impunity. Thus, the policies that emerged were usually scantily understood and appreciated by the rest of the country's leadership and citizenry. As a result, the state usually failed to defend the policy shifts and implement them successfully (Saasa 1994). In general, however, policy development and implementation during the period under review were influenced by poor economic performance. Still, the detail of the structure and content of the reforms was externally induced and depended mainly on the guidance of the external actors.

More importantly, external factors, namely, the IMF and the World Bank, did not understand the local situation leading to implementation failures. Internally, the political system lacked adequate institutional structures, especially in sectors outside mining, to influence policy development and implementation. However, the resistance from the mining and student unions set the stage for civil society participation in policy development and implementation.

The Third Republic (1991 to date)

The Third Republic can be subdivided into two: The Movement for Multi-party Democracy (MMD) and the PF era. In 1991 the MMD, with Chiluba as its presidential candidate, capitalised on widespread dissatisfaction with the government by emerging as the single most credible alternative contender for the presidential office. President Chiluba's victory marked the end of the Kaunda era and his neo-socialist policies. He aligned to neo-capitalist open economic principles that have dominated most of the 1990s and the new millennium years in Zambia.

The MMD government's greatest socio-economic change in its first ten years of governing was transforming the country from a welfare society and socialist type to a liberalised market structure with greater economic freedom and choices. However, the Third Republic and its SAPs saw cuts in social spending, hence liquidation and fall of industries resulting in job losses, cut agricultural support programs and the agricultural sector's collapse. SAPs also saw the dilapidation of infrastructure, zero economic growth and mass migrations of public employees to neighbouring countries such as Botswana and Zimbabwe.

During this period, poor policy development and implementation affected the economy's performance and increased poverty levels. Considering policy development and implementation, Mwanawina and Mulungushi (2003) contend that since the mid-1990s, the public sector experienced a decline in real pay and conditions of service, which affected its performance, productivity and quality of service delivery. Increasingly, with the erosion of real pay came the depletion of scarce motivational capital because many public servants pursued an exit strategy, leaving government employment or using working hours and public resources to engage in their income-maintenance strategies.

The increasing loss of human capital and other problems have negatively impacted public service and policy implementation. Several factors compound the declining quality of service delivery. There was a lack of facilities in the public sector, like computers, office equipment, poor remuneration, and lack of training to create capacities in ministries and provinces. Further, there was a lack of networking and information flow among the ministries and provinces, compounded by the Public Service Restructuring Programme (PSRP). Besides reducing numbers, they did not offer induction courses to the new staff contributing to poor policy performance in the 1990s.

In retrospect, President Chiluba's government hurriedly privatised state enterprises in the sectors like the National Agricultural Marketing Board (NAMBOARD). This affected the development of food security, resulting in numerous retrenchments of extension staff in the agricultural sector at lower levels under the Public Sector Reform Programme (PSRP). The collapse of extension services witnessed the productivity drop, thereby affecting food security and triggering food imports. All policies that were not discussed with stakeholders, particularly civil society and other interest groups like the farmers' unions, affected agriculture growth resulting in lower investments in the sector and total neglect of long-term strategies such as irrigation development and research. This further constrained the expansion of the agricultural sector. Correspondingly, the ability of the sector to provide agricultural credit collapsed after the closure of Lima Bank and other similar organisations. This resulted in many rural farmers going out of production.

Further, the land policy, developed in the 1990s, was done without much consultation. Consequently, traditional leaders rejected it and acquisition of land remained problematic inhibiting investment in the sector. Investors took up to five years to acquire land, further creating an environment for corruption. In the social sectors, there were clear policy contradictions. For instance, the free education policy did not expand classroom blocks and provided teachers the facilities like desks and other learning materials. Even though the overall enrolments in basic education marginally increased by 7.2% between 1997 and 2000 (Economic Report 2002), the number of basic schools did not correspondingly increase, thereby defeating providing access to quality education. The result was the mushrooming of low-quality community schools in urban areas. Similarly, the policy on cost-sharing in the health sector reduced access to health facilities, thereby endangering vulnerable children and mothers to curable diseases such as measles and malaria.

The Chiluba's government was marred with corruption and abuse of office such that it lost public confidence. Thus, there was a great misapplication of resources at the expense of the suffering majority of Zambians. Even when it came to appointments in the civil service for top positions, these were done on a patronage basis for supporters of MMD. Mulungushi (2003) argues that President Chiluba gave more autonomy to his ministers and top civil servants to make decisions, whether right or wrong, and that the policies and decisions taken on how to implement them were in most cases contradictory.

The successful political transition from a one-party dictatorship back to multi-party democracy in 1991 soon became of concern due to the ruling party's intolerance of the opposition because the opposition was perceived to be an enemy rather than a partner in the country's governance. The lack of public accountability, unrestrained ethnicity and corruption were major factors constraining effective policy implementation.

The privatisation process, for instance, became a conduit for personal wealth among political elites and was marred with massive corruption. Chiluba's 'Vampire State' ended in a situation of economic inducement to people in power and high-level generalised corruption in all sectors of the economy; erosion of political institutions was replaced by close-knit circles' personal loyalties to Chiluba based on ethnicity (Saasa 1985). The most serious shortcoming of the Chiluba administration was the total lack of state capacity to put in place mechanisms to implement programmes and the increasing magnitude and cases of corrupt practices by political elites. Thus, although Cabinet approved several policies and plans, there were no implementation mechanisms created.

From 2001 to 2008, President Mwanawasa and his 'New Deal' administration went more for mixed economic principles than Kaunda's last years. He believed more in the centre-right while Chiluba was completely on the right. For example, since coming to power in 2001, Mwanawasa pushed forward the idea of subsidies to the agricultural sector and re-introduced the free education system, which was earlier abolished by Chiluba's principles. President Mwanawasa was generally unacceptable to the IMF and the World Bank. He also showed resilience in anti-corruption, reduction of government expenditure and improving fiscal discipline. For instance, President Mwanawasa made Chiluba accountable to charges of corruption he was suspected of having been involved in during his reign.

Mwanawasa adopted a 'Look Far East' policy and signed several bilateral agreements with the Chinese government to accelerate infrastructural development as a partner in economic development. When it came to the implementation of the privatisation policy, President Mwanawasa was cautious. For instance, he delayed decisions on Zambia National Commercial Bank (ZANACO), Zambia Electricity Supply Corporation (ZESCO) and Zambia Telecommunications Company Limited (ZAMTEL), favouring more consultations, which was one of the reasons that delayed Zambia's qualification to the Highly Indebted Poor Countries (HIPC) completion point (Mulungushi 2003). Nonetheless, President Mwanawasa continued the politics of appeasement from Chiluba's government. Appointments were based on patronage and ethnicity. This demystified criticisms inside his government on critical policy decisions. Consequently, many analysts argue that, in reality, tenets of a one-party state were slowly coming back as effective opposition was being crushed.

President Banda (2008–11) did not perform well, especially when it came to critical voices on government decisions. Marred with allegations of corruption and nepotism, he grew more and more unpopular, especially with the general dissatisfaction of the people with MMD and the need for political change coupled with many administrative misconducts cited amidst ministers and senior government and MMD officials. The disbandment of the task force on corruption, removal of the abuse of office clause and the eventual acquittal of

the Second Republican President Dr FTJ Chiluba, all that was seen as a direct assault on the late Levy Mwanawasa's legacy of administrative reform and anti-corruption fight. Patronage politics and ethnicity continued under Banda's administration. The privatisation process was still marred with corruption, as was the case in the sale of ZAMTEL where some top government officials were allegedly corrupt, making potential buyers withdraw. Overall, policy implementation was ineffective due to economic mismanagement, lack of public accountability, political intolerance and limited political participation by stakeholders.

The Patriotic Front (PF) era

The PF capitalised on the high unemployment levels, high tax threshold, general dissatisfaction with the MMD government and low-income levels, developing a strong campaign under the slogan "More jobs, lower taxes and more money in your pocket". That approach effectively drove the MMD and Banda out of power in the 2011 presidential and parliamentary elections amidst great political propaganda on both sides. President Sata's PF manifesto was based on what is referred to as 'pro-poor policies'. Upon coming into power, the PF attempted many political, economic and administrative reforms. These included dissolving management boards of public sector institutions considered corrupt, instituted many commissions of inquiries on various issues of national interests and increased appointments of women in key decision-making positions and massive infrastructure development, especially in the road and social sectors.

Following President Sata's death in 2015, serious reverses took effect under President Lungu. There has been reduced political space in terms of freedom of speech and assembly. Critical voices on government decisions are considered enemies of the state. Several opposition party leaders, civil rights activists and journalists have been taken to court or jailed by merely criticising the government on certain policy issues. Civil servants who are perceived to be sympathisers of the opposition are retired on national interest, and appointments in the administrative system are based on patronage and ethnicity. Policy implementation has not been effective as the civil service corrupt, as reported in the Auditor General's Report of 2019. This is coupled with poor working conditions in the civil service and the high cost of living, resulting in frustrations among workers. There are other reports, for instance, where top government officials have been accused of corrupt practices in awarding contracts, especially in the road sector that has resulted in shoddy works by contractors. The majority of Zambians have lost trust in the government. They believe that the ruling party has considerably captured most of the institutions of governance like the Police, Judiciary, Anti-Corruption Commission, Drug Enforcement Commission and the Electoral Commission of Zambia.

Economically, the Lungu administration has continued President Sata's vision of developing and promoting a liberal economy. However, massive corruption in government circles has threatened policy implementation, leading to loss of investor and donor confidence, especially in the privatised mines. Zambia is currently in high external debts due to over-borrowing. Coupled with the COVID-19 pandemic, Zambia is presently witnessing a retrogressive turning point with increased unemployment, high inflation, high cost of living, etc. All of which has increased poverty levels among Zambians.

Conclusions

Zambia's political transformation process was in four main phases, creating different political environments that have similarly had far-reaching effects on policy implementation. The

Kaunda era (First and Second Republics) had the main strength of infrastructural development, empowerment and massive social investment but was weak in ensuring sustained economic and institutional management. The poorly planned Zambian nation under a one-party state led to the poor management of the economy, whose policies were based on neo-socialist ideology, leading to poor implementation of most policies like privatisation. The Third Republic had a remarkable political shift from a one-party state to multi-party democracy. There was also a shift in the political ideology from neo-socialism to liberalism.

The adoption of a mixed market economy and liberal principles saw the privatisation policy's implementation. However, policy implementation was ineffective because of the lack of a planned implementation mechanism, a reversal of democratic gains, the imposition of international policy frameworks and gross mismanagement of public resources. Also, policy formulation is mainly elitist, and public participation is limited. People are mere recipients of the policies and programmes being implemented in the country, resulting in most policies not having tangible positive effects on people's lives. The lesson from this chapter is that policy implementation in Zambia should consider issues of appropriateness, sustainability and impact of public participation.

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EXECUTIVE POLICYMAKING DURING NATIONAL CRISIS

Policy responses to COVID-19 pandemic in Uganda

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Introduction

Generally, there is a dearth of literature on Executive Policymaking in policy studies. In both presidential and parliamentary settings, it is taken for granted that the role of the executive is to implement policy. Thus, efforts to look into where the executive may be influential in policy design are limited in policy debates. Executive policymaking is a loose concept despite its common practice, especially in the more presidential systems in Africa, Latin America and the United States. Executive policymaking featured strongly during the era of the development administration and one-party rule across Africa. However, it has often been more evident during the crisis and political transitions in modern political systems. This is because crisis comes with unexpected disruptions to the existing institutional processes. Besides, there is a lack of resources to effectively handle such an event, unclear institutional responsibility among government agencies and a lack of experience in dealing with the current situation. Also, there may be undivided pressures from both the citizenry and elites on the government to act.

Therefore, handling a crisis often validates a desperate time – desperate measures approach, thereby attracting unorthodox public policy processes. This is because crises tend to produce a vacuum that naturally predisposes the executive to act, sometimes in an unconventional manner, or employ relatively unchecked interventions. Similarly, the government needs to and must show that it is in control, and, on the other, citizens demand to know how and expect the government to address the situation. This dilemma puts the government's capacity to the test. It gives the executive unquestionable legitimacy and authority to deal with the situation without necessarily following the existing legalistic, political and institutional processes.

However, the leeway to make prompt policy decisions may not be adequate for the government to effectively address the national crisis like the ongoing COVID-19 pandemic. Recent studies on COVID-19 policy responses or crisis responses indicate an array and an interplay of other factors on the display for the government to succeed under such circumstances (e.g. Christensen and Lægread 2020). These include public and social trust, the structure of government, the personality of the executive, resources available, effective

communication and coordination, meaning-making and expertise, among others (e.g. Cairney and Wellstead 2020). Therefore, executive policymaking during the crisis takes cues and puts to test the state's general institutional and political capacities and can be a wake-up call to underperforming public service. Following these executive incentives and control over critical policy instruments, executive policymaking is an area that deserves attention in a volume such as this. That said, this chapter puts into context this discussion concerning executive policy responses to the COVID-19 pandemic in Uganda.

Here, *Executive Policymaking* considers policy choices and directives made by the Chief Executive Officer and appointed Cabinet concerning a particular policy problem. Executive policymaking is examined here with reference to the coronavirus pandemic responses. I look into the role of the executive in providing leadership during the crisis in Uganda. This chapter particularly examines challenges during the implementation of COVID-19 policy responses. In so doing, it pays attention to three critical areas often highlighted during national crises and uncertainties: regime prioritizations and commitment of resources, inter-organizational coordination, communication and political characteristics of the national crisis when the executive seeks re-election amidst a formidable opposition. Notably, this chapter looks into the basis for the executive's policy choices during the crisis in the context of COVID-19 responses. This discussion relies heavily on data generated from an analysis of webpages, newspapers and blogs.

Literature review

In most cases, in the presidential systems of government, the capacity or the government's performance is centred on the president's capacity to drive policy goals (Neto 2006). As such, executive policymaking can assume

two policy-making strategies: a strategy based on the use of statutes or a strategy based on executive prerogatives. If the president's preferences and the institutional incentives and economic conditions faced favour a statutory strategy, the president is more likely to appoint a majority cabinet, select more partisan ministers, and distribute portfolios to parties on a proportional basis.

(Neto 2006, p. 415)

However, the prevailing political regime and the form of government are critical in determining executive policymaking (Howlett and Ramesh 2003). This defines institutional leverages, the nature and scope of actors involved.

Most importantly, in a modern state, the link between the executive and the legislature may affect policy. In a parliamentary system, there are few checks and balances on the actions of the executive. In a presidential system, the president is chosen separately and may not enjoy majority support from the house. This produces a division of powers and sometimes tensions between the executive and the legislature resulting in policymaking difficulties. Individual legislators and committee members play an active role in designing policies. In presidential systems, the president must find ways of convincing the legislature to favour his/her actions through bargaining and other techniques depending on the regime type.

Of course, in less democratic regimes like presidential systems in East Africa, the legislature is often turned into a stooge of the executive, allowing the latter to dominate legislative policymaking (Onyango and Hyden 2021). Yet, where the legislature and other state institutions are relatively autonomous, the president may either wait on the legislature to design

policy or use presidential constitutional leverages to give policy directives, especially during the crisis. Therefore, it is not strange that during the COVID-19 pandemic, most presidents resorted to unilateral presidential directives (Ouyang and Waterman 2015). In Uganda, political caucusing became the mode of policymaking since the constitution has limited provisions for the president to make policy directives.

Naturally, the executive has a competitive advantage over other arms of government

by the fact that presidents, governors, and other executives are privy to information not available to the public. In particular, they have advisors, privileged information on security matters, and vast bureaucratic resources dedicated to providing data on optimal policy choices. Moreover, executives can often enact policies unilaterally, e.g., through executive orders or command of the military.

(Canes-Wrone et al. 2001, p. 532)

The executive is also more predisposed to making policy decisions that would serve other political interests, namely, re-election, than public interest even amidst a crisis (Neto 2006). This has been evident in the recent debates on the US elections and across Africa, mainly in the recently concluded Tanzanian and Ugandan elections.

Whereas the role of the executive in the policymaking process is to implement and supervise the implementation of policy, they tend to shift to initiating and making the policy. In the United States, the constitution does not grant powers of making policy to the president but often follow “bully pulpit to go public.” This is when Congress’s political support and expectation may delay legislating on a critical policy issue (Ouyang and Waterman 2015).

In Uganda, the president has used a cocktail of coercion and persuasion in times of pending political transitions than directives concerning a particular policy. This has been mainly through caucusing and bringing many of the ruling New Public Management (NRM) supporters, ministers and district leaders to his side. For example, when President Museveni wanted to change the age limit for presidential aspirants and other executive politicians, he met different NRM politicians, including ministers and district leaders (Kaaya and Kiggundu 2016) to build consensus before the matter proceeded to parliament, where it was eventually overwhelmingly supported.

During the COVID-19, the Ugandan president, rather than allowing the legislature to come up with policy responses to COVID-19, initiated, formulated and in most respects implemented the policy with the support of the executive (ministers and presidential aides). Albeit the autocratic policymaking in Uganda, there may be a shift in the roles of the executive during a crisis. For example, building consensus between different state institutions, including legislators and the executive, may take time and bargaining (Neto 2006), which may not be appropriate in emergencies like coronavirus pandemic.

Ouyang and Waterman (2015) argue that presidential directives are resorted to when support from Congress is divided or waning. This ignores that prerogatives and directives may be resorted to in emergencies when there is no adequate time for debate and time necessary to pass the legislation. Also, presidential prerogatives are not constitutional to initiate policy in most countries (Byers et al. 2019). In Uganda, the situation is no different. The president has no constitutional prerogative to issue directives to the nation, although the constitutional mandate of addressing parliament indirectly allows him to initiate policy. Most importantly, the top-down implementation framework often preferred during the crisis and in the face of political transition can improve policy clarity and visibility.

As demonstrated by Van Meter and Van Horn (1975) in such a model, key aspects, namely, clarity of the objectives of the policy, the environment in which the policy develops, the discretion of implementing agencies, the inter-organizational communication, the character of implementing agencies and resource commitments and their availability, may be clear. The duo considers the clarity of objectives as a prerequisite for successful policy implementation. The more the policy is clear regarding what the policy intends to achieve, the more it is likely to achieve the objectives. Executive policymaking, therefore, improves policy effectiveness by eliminating problems emanating from institutional deficiencies, mainly inter-agency sovereignty wars, resource scarcity and personnel capacity. Executive policymaking comes with a critical political will during a crisis and a plus in the ratings of an executive seeking re-elections.

Uganda's policy responses to COVID-19 pandemic

In Uganda, the response to COVID-19 was primarily directed by the president through incremental presidential directives that were further actualized in different policy venues, including different ministerial statements and corresponding institutional policy instruments. These directives were contained in weekly statements made by the president while addressing the nation on coronavirus pandemic. Between March 18th, 2020, when the president first addressed the nation, and May 18th, 2020, the president had made 18 such addresses totalling 46 measures that were put into three categories.

The first measures largely dealt with areas where the virus was expected to spread through mass gatherings and other possible spread routes; schools, markets, churches, bars, social gatherings, political rallies and public transport (buses, taxis and bodabodas). These led to the partial lockdown of the country to avoid internal transmission. The second set of guidelines targeted the external sources of the virus and resulted in the closure of airports and borders of entry except for cargo deliveries into Uganda. The third category of directives can be considered the easing of the lockdown with the incremental opening of the economy. For example, public transport was to carry half the capacity, churches to open but allow only up to 70 people as long as they observe social distance and other SOPs, schools to open only for candidate classes and finalists.

Observing Standard Operating Procedures (SOPs) of the social distance of up to 2 metres between persons, regularly washing hands or using sanitizers and wearing face masks is to continue. In Uganda, the presidential directives have yielded positive results. By May 16th, 2020, 227 positive cases were registered in Uganda, but only 4 were from community assessments. Globally, as of May 20th, 2020, Uganda has relatively low cases of coronavirus infections compared to other countries in the world. The wearing of face masks in public places was legislated, and it was a crime for any person to walk in public without a face mask. The directive to wear masks in public and denied access to the public facility was passed under statute number S155 of 2020 (Aceng 2020).

However, controlling the coronavirus pandemic presented lots of uncertainties in Uganda. Walker et al. (2013) define uncertainty as a situation of limited knowledge about the future, past or current event but not the absence of knowledge. This includes inadequate information, inexactness, unreliability and broader ignorance. Uncertainty was noticeable in presidential addresses and enforcement mechanisms. For example, on March 18th the president indicated that the virus posed little danger to young people, which changed on March 25th, 2020. There was also confusion in the enforcement mechanisms. For instance, since its passing, no charge levied against anyone who walked freely without face masks. People were not denied access to any public facility for not wearing face masks.

Moreover, the public facility was not defined whether a public facility meant a government office or government-owned facility where public service is delivered? Or any (public or private) place accessed by the public for a service? The definition of the public facility as any place where members of the public can access services was complex because the government has limited law enforcement staff and resources to monitor the wearing of face masks in every place. Thus, this law relied on citizen oversight and self-regulation to be effective, a strategy that demands public trust in government, which is relatively a problem in Uganda. Indeed, the wearing of face masks was interpreted as a political statement for political gain by most Ugandans (Anguyo 2020). Therefore, just like the Kavera (polythene bag) legislation, this wearing of face mask legislation eventually failed due to inadequate enforcement mechanisms, and lack of public trust in government and resources.

Nonetheless, executive policymaking enhanced the clarity of the COVID-19 guidelines in Uganda. Just when COVID-19 broke out, it became a priority that the immediate concern was controlling the spread of the disease and this needed power that only the executive could dispense. Consequently, the president's control of the situation and leading in the fight against COVID-19 disease gave the policy responses the priority they deserved. However, the top-down model that comes with executive policymaking may not be generalized. It could be customized to each policy area and the degree of interests, including the nature of actors involved. Also, the policy environment is dynamic, and its influence may be from within and without. In particular, the electoral season for the president also played a critical role under such circumstances. In the proceeding sections, I discuss the executive's role in providing leadership during the COVID-19 pandemic in Uganda.

Commitment of resources

The commitment of resources to specific policies and how much goes for policy implementation in mitigating the spread and impact of a crisis like the COVID-19 pandemic is essential. Van Meter and Van Horn (1975) argue that implementing policy is successful only when policymakers consider the necessary resources. Both human capital, objectives and financial resources are required for policy implementation. Are resources available, or can they be availed? Are they enough? These are key questions that need attention during crisis management. The commitment and allocation of resources show spending priorities in policy processes. Indeed, in countries like Uganda, the problem in policy implementation may not be the availability of resources and resource commitments but the spending of resources.

During COVID-19, the NRM government prioritized and was committed to fighting its spread; however, the expenditure patterns confirmed many challenges. More was spent on short-term consumables than long-term infrastructural developments, such as expanding the healthy infrastructure necessary to treat the infected and would be infected.

Considering resource constraints, President Museveni responded by raising funds. This was not in line with the traditional budget allocation and control, which in Uganda is placed under the Ministry of Finance, Planning and Economic Development and the Parliament's approval. As Cheung (2004) contends budget allocation and coordination is a strong tool for ensuring policy coherence. By June 2020, over 50 billion Ugandan shillings in cash and materials had been mobilized out of the budgeted 170 billion shillings from this drive (Rupiny 2020). To ensure that the budget was well-coordinated, the president established a 15-member team to manage the fund and prioritized key areas for managing COVID-19. According to the president, these areas were strengthening the health sector and supporting the frontline health workers. Putting in place a team to ensure budget coordination was in

line with the need for policy support programs to ensure the robustness of the policy and forewarn if policy challenges are expected to rise (Hudson et al. 2019).

However, support programs to ensure smooth implementation of the policy does not preclude inter-departmental correspondence. Continuous correspondence between stakeholders at multiple departments, subnational and national units is a prerequisite for successful policy implementation. However, in response to the pandemic, the technical ministry of Finance, Planning and Economic Development was not involved. In March 2020, the ministry had estimated the impact of COVID-19 on the economy (UNDP 2020). Therefore, focusing more on the committee and ignoring the technical ministry in charge of budgeting and managing the country's financial sector are likely to cause poor resource allocation.

Also, the committee was more concerned with the finances available than the budgetary matters. Uganda has about 65 government hospitals, including 8 regional referral, which are used to contain COVID-19. For example, at the onset, all regional referral hospitals were allocated the same amount of money without considering the likelihood that some hospitals may get more patients than others. Indeed, Gulu hospital and Masaka hospital received more patients than other referral hospitals because they are at the border of Sudan and Tanzania that were considered hot-spots for COVID-19.

There has been little effort to expand the above health facilities. All that there is putting up a tent whenever there is a shortage. Indeed, there are reservations that both COVID-19 patients and those in isolation centres are living in deplorable states. Where spaces are limited, isolated persons are placed in tents or wooden shacks, not-fit habitation. Although at the height of increasing spread, the government, with the support of the Catholic Relief Services (CRS), launched a 210-bed facility with the possibility of expanding it to a 1500 bed capacity at Nambole sports stadium. This was not enough given that Uganda is committing less of its resources to fight the disease, given the continuous heavily reliance on foreign donations. For example, by June 2020, the COVID-19 frontline health workers had not received their allowances (Observer 2020).

The executive put more efforts into preventing the disease despite knowing that control of the spread was unlikely, judging from already proven cases like in the United Kingdom, the United States, Spain and Sweden that could test and quarantine. Perhaps the amount spent on the production and supply of face masks for the above six years could have doubled the amount spent on constructing a branch of the national referral hospital in Kampala. For example, the government planned to spend 81 billion Ugandan shillings, which increased from the previously planned 35 Ugandan billion on the production of face masks for 30 million Ugandans of ages 6 and above years (Anguyo 2020; Kirabo 2020). Kirudu hospital in Kampala was constructed for 26 billion Uganda shillings from the African Development Bank (Waiswa 2018). On the construction expenditure for the above hospital facility, the expenditure on face masks means that three well-equipped hospitals would have been constructed.

The construction of hospitals alongside prevention efforts would be the rational decision where the certainty of the spread is known. Given the level of spread in countries such as France, the United Kingdom, China, all of which have enough resources, it is a testament that the disease is uncontrollable. Also, there is adequate knowledge about the lethal character of the COVID-19 disease, which calls for prevention and cures approaches. Thus, the expenditure on face masks alone indicated a lack of priority spending. Perhaps, this expenditure was guided by panic and gamble, which is only possible in the face of uncertainty – the above critiques elaborate lack of resource commitments besides problematic expenditures during policy response to COVID-19 disease.

Further to this, the presidential directives were over-ambitious. Hyden (2006) describes African policy failure as a consequence of over-ambitiousness in addition to common problems of bounded-rationality in policy decisions (Herbert 1972). On the onset of fighting the coronavirus, president Museveni indicated inadequacy of Uganda's capacity to fight the diseases as demonstrated by the fundraising drive (the first of its kind in Ugandan history), inadequate evidence and policy communication deficits to the public and across the public sector. Similarly contradicting this position of perceived inadequacy was the display of an ambitious policy to deal with the challenges of the disease. To prevent the spread of the disease, the government planned to distribute free face masks to all Ugandans ages six years and above. The distribution of masks started on June 9th, 2020, but many Ugandans did not receive the face masks by August 5th and only 13, 455, 657 face masks had been distributed to 30 districts (MOH 2020). The infections are surging in community transmissions. The failure to expedite the distribution of face masks in the face of the raging spreading of coronavirus was a display of an over-ambitious plan, which alternatively displayed levels of uncertainty in the executive's efforts to control the disease. Indeed, substandard face masks were produced among the citizenry to control the spread of the virus with little regulation of the quality of masks produced, including those produced by some of the executive's appointed privately owned suppliers.

This policy failure exacerbated the politicization of policy responses to COVID-19 by some quarters claiming that quality face masks were distributed among the ruling party members. Even though the foundation for this critic was hard to establish, opposition parties went ahead to distribute their own party-branded masks.

Other examples of an ambitious policy can be observed in responding to the school children needs. When the coronavirus was announced before Uganda registered the first patient, the immediate response was to close education institutions while teaching at both the primary and secondary levels was channelled through the radio and television. The executive further proposed to buy radios for all the households in Uganda, demonstrating unrealizable policy ambition (Kyohairwe et al. 2020). Besides, most Ugandans own radios with 87% of the population listenership (BBC Media Action 2019 and Collaboration on International ICT Policy for East and Southern Africa (CIPESA) 2018) (also see the National Information Technology survey 2018). The above figures indicate that the government plans to spend on radios when most Ugandans own radios was a panic response, ambitious and lack of touch with governance realities confronted by most Ugandans.

Inter-organizational communication and correspondence

Policy success depends on the involvement of all stakeholders and, more so, on the quality of communication between the organizations and agencies involved in implementing the policy (Van Meter and Van Horn 1975). For Hudson, Hunter and Peckham (2019), success depends on stakeholder collaboration and all dimensions (vertical and horizontal). These authors assert that collaboration should not be misunderstood as cumbersome processes of finding consent, rather they should be considered simple communications and dealings are looking for common grounds without which conflicts and delays in policy implementation would be registered (Hudson et al. 2019, p. 4).

While dealing with COVID-19 diseases, various departments need to develop an inclusive response to improve policy coordination and visibility (Onyango 2019). How different ministries and departments communicated implementation strategies against COVID-19 in Uganda pays attention to the relationship between the legislature and the executive. There was poor inter-agency communication between departments and ministries in Uganda,

resulting in response delays, confusion and lack of support. This lack of policy coherence was also evident in the poor correspondence between departments and the parliament, especially regarding how the president controlled the budget of COVID-19 disease. At the onset of fighting coronavirus, the executive and the legislature did not agree on how the coronavirus was to be fought.

The parliament thus felt alienated. Indeed, this policy alienation deficit was evident in reports that the parliament appropriated 10 billion Ugandan shillings out of the planned budget for the COVID-19 pandemic. The legislature claimed that it had been excluded from COVID-19 policy responses by the executive (The Independent 3.04.2020), attracting extensive criticism (Opondo 2020). Eventually, the Judiciary, through the court order, directed the legislature to return the money. While the money could have been drawn in good faith for legislative oversight roles, it remains controversial how the money was equally distributed among the parliamentarians. It is no wonder that the money was tagged as pocket money for MPs during the coronavirus pandemic.

Thus, a lack of consensus on the financial allocation of the coronavirus pandemic delayed the implementation of related programs because the money did not reach the targeted areas on time. Also, while it was agreed that the money parliament appropriated be deposited with the district task force, there was no indication of where the money was to be deposited for those MPs who did not represent districts. If the money was to be returned to the treasury, it was unclear how the money would find its way back to the COVID-19 fund.

The politicization of COVID-19 pandemic policy responses during general elections

Political contexts matter for policy effectiveness – the socio-political environment in Uganda influenced the role of the president in influencing politics and attendant policy responses for curbing the spread of coronavirus. Given that Uganda was expected to hold the presidential and parliamentary elections in January 2021, there was an increased agitation, especially from the opposition politicians, to open up the country to allow political campaigns. However, the executive argued that removing the lockdown for political campaigns could increase infections because of difficulties controlling the masses and enforcing other control measures.

Therefore, in response to this dilemma, the electoral commission formulated a road map for presidential elections 2021 campaigns in consultation with the executive. Key among other rational recommendations was holding electronic campaigns by political aspirants to ensure compliance with policy directives such as maintaining social distance. Still, the opposition groups contend that stopping open campaigns will deny people the opportunity to get the right message and not participate in elections. Parvin (2018, p. 37) indicate that “targeted campaigns aimed at ‘getting out the vote’ among young people and other disengaged groups have only really succeeded in marginally increasing participation.” Thus, to the opposition, not opening space for political campaigns was the president’s intention to close out the opposition from reaching out to the voters.

Indeed, government officials and political aspirants from the ruling NRM political party flouted the SOPs without being punished. The spokesperson on the executive directives on the COVID-19 was caught on camera in a procession that did not comply with anti-COVID-19 guidelines. But in her defence, the minister argued that she was launching the face masks and educating people on the same (Halima 2020) even though she was not

wearing a face mask and practising social distancing. Commenting on the actions of the minister, a human rights lawyer had this to say,

People have been arrested, people have been shot and killed, for not following guidelines issued and signed by her. And then you have the person who should be champion, is violating the very principles for which other people have been killed.

(Halima, 2020)

Similarly, the Minister of State for Investment was caught on camera for organizing a political procession where mass gatherings violated social distancing and face masks.

While responding to these violations, the president argued that the Minister of Health lacked experience controlling a politically charged mob. However, the Minister of State for Investment was summoned by police to violate COVID-19 guidelines. In the meantime, the state heavily cracked on the opposition politicians who flouted the COVID-19 guidelines. The ruling NRM members, unlike opposition politicians, were hardly arrested and punished for holding political rallies with no observation of SOPs (Anguyo 2020). Also, while the police are expected to be impartial in handling the violators of the COVID-19 guidelines, they favoured members of the NRM party. This was in the *Observer* newspaper as follows:

Police have come under criticism for playing blind as minister after minister, and other ruling party aspirants continue to flout anti-coronavirus guidelines but go tough on opposition politicians. On the same weekend, when Anite held a procession without police intervention, Kyadondo East MP, also a presidential aspirant, was blocked from attending a radio talkshow in Mbale. Police fired tear gas and bullets to disperse his supporters. Likewise, Kawempe South MP Mubarak Munyagwa Sserunga was arrested by police for holding a meeting of about 20 people.

(Observer 2020)

The above shows that executive communications on COVID-19 disease advanced the ruling party's political agenda during general elections.

Echoing Kernell (1997)'s argument, cited by Byers et al. (2019), President Museveni had many opportunities to address the public. When he mentioned the policy on these occasions, the said policy became important for the public. Yet, the president also used these opportunities to shift policy to advance his political agenda for re-election. Thus, effective policy communication by the executive during a crisis may increase his/her popularity and reduce the support base for the opposition politicians during elections. The reverse may also be true, as demonstrated by the US 2020 presidential elections, where the incumbent largely lost re-elections for mishandling the COVID-19 pandemic. However, given the non-democratic political system in Uganda, the president crisis caused by the pandemic offered the president a political weapon that he used to stifle the political activities of the opposition.

Thus, without the 2021 elections in Uganda, the coronavirus pandemic could not have been politicized to its level. Therefore, the political transition can significantly affect how presidential directives are implemented during a crisis. In particular, election cycles have serious outcomes for policy implementation. Resh (2009, p. 913) argues that "election results and the electoral cycle ahead clearly affect the extent to which administrative strategies are pursued and the success of efforts by appointees to implement presidential agendas administratively."

Under such circumstances, the executive would be keen on specific policy programs and the timing of their implementation. Therefore, the political processes related to the re-election of the NRM government in Uganda influenced how presidential directives against coronavirus disease were introduced and implemented. At the same time, policy politicization may have eroded the degree of compliance with efforts to control the pandemic in Uganda.

Conclusion

Much as the executive is the authoritative decision-maker, s/he is not limited to policy endorsement. Instead, s/he provides direction and input to the policy implementation. This chapter offers a few lessons in discerning executive policymaking during uncertainty and crisis. It has shown that the extent to which the executive offers policy direction and determining the policy's success in achieving policy goals is affected by a complex mix of factors. However, cardinal among these factors border on pursuing political objectives, primarily when the executive seeks re-election. Under non-democratic regimes like those in East Africa, such political objectives may prioritize regime consolidation processes and maintain patron-client relationships even during an imminent crisis. It is no wonder then that the control of the COVID-19 pandemic came when the regime was most legitimately challenged in Uganda. The executive exploited the authority and high expectations that often come with such crises to immobilize the opposition. Thus, this chapter also interrogated how political competition between the ruling party and the opposition patterns influenced implementation processes and directions of the policy, specifically during large-scale uncertainty and generally in the context of an autocratic political system.

Notwithstanding the regime factor, the executive in Africa has been instrumental in preventing the spread of COVID-19, despite devising some unconventional strategies in some countries like Tanzania that is most significantly related to human rights principles. Generally, executive actions in most African countries registered initial successes against the spread of the coronavirus. However, these policy successes could not be sustained. Because (a) the creation of new policy venues or committees to handle the COVID-19 pandemic, in some instances, alienated technical ministries resulting in technical dilemmas, causing the poor allocation of resources, (b) the executive actions, especially in the face of seeking re-election and regime consolidation, politicized policy responses towards COVID-19 pandemic. These generated competing policy interpretations and public mistrust and undermined the policy effectiveness during the crisis, and (c) incidences of poor inter-institutional correspondences led to policy alienation of key stakeholders and lack of policy coherence between government agencies. Altogether, these factors frustrated long-term gains that may have otherwise come from the opportunity presented by the COVID-19 pandemic in Africa.

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POLITICAL LEADERSHIP AND PUBLIC POLICY IN AFRICA

Thabo Mbeki, the consummate policy entrepreneur

Ndangwa Noyoo

Introduction

This chapter examines the relationship between political leadership and public policymaking in Africa in a relatively more democratic governance contexts. It revisits policymaking in post-apartheid South Africa during the presidency of the second democratically elected president, Thabo Mbeki (1999–2008), to illustrate how political leadership and public policymaking can be intertwined in Africa. This chapter also demonstrates how policymaking should be typified by political leaders overseeing government bureaucracies in Africa. Thus, it contends that political leadership is critical to public policy and policymaking processes in Africa. African countries need more politicians who can grasp and master the quintessential elements of public policy in general and public policymaking in particular. In this way, they may extricate themselves from the morass of ubiquitous civil wars and various forms of unrest, myriad social ills, bad governance, maladministration and corruption, among others. Therefore, in Africa, political leaders, particularly presidents, must strive to be policy entrepreneurs for African countries to develop. Bureaucrats and politicians in Africa are often confined in daily mundane rituals and rhythmic actions to keep a government functioning or incubate and innovate transformative policies. While relying on Mbeki's experience, persona and character, this chapter argues that Africa needs political leaders and government bureaucrats who are policy entrepreneurs to address the plethora of development challenges. The central assumption is that if African political leaders aspire to be policy entrepreneurs, many countries will develop faster. This discussion is organised alongside the following issues: (i) The history of policy regimes in South Africa, (ii) Conceptual premises of the discussion, (iii) Public policy and political leadership and (iv) Thabo Mbeki as a policy entrepreneur.

The history of policy regimes in South Africa

Before 1994, apartheid defined every aspect of life in South Africa to the minutest detail. The majority of the African population and other non-white races were not allowed to participate in political and socio-economic processes. After the National Party (NP) came to

power in 1948 (and for the whole period it was in power), the Afrikaners defined public policy and implemented it from their cultural and ideological perspectives. To the most, public policy was not transparent, and at a murkier level, it was guided by a secret society known as the *Afrikaner Broederbond* (AB) or 'Afrikaner Brotherhood.' This was a clandestine and elitist organisation founded on a narrow and exclusive definition of the *Afrikaner Volk*, or nation (as defined by the *Broederbond*) to secure the dominance of these interests in the public life of South Africa (Stultz 1974). At the beginning of the 1990s and especially after 1994, the country's policy regimes underwent several dramatic changes. Indeed, the unbanning of the liberation movements in February 1990 ushered in an era of negotiation and bargaining for a social contract and institutional choices which had eluded South Africa for many years (Houston and Liebenberg 2001). These negotiations would define the post-apartheid era, which guaranteed the rule of law and respect for the rights of all citizens regardless of colour, creed, ethnicity, gender and so on.

At the heart of this new political system and policy regime was a constitution considered one of the most liberal globally and entrenched socio-economic rights enunciated in a Bill of Rights. Notably, before 1994, the frameworks governing the public service were highly centralised and regulated, resulting in a bureaucratic, unresponsive and risk-averse public service (The Presidency 2014). Also, the public service lacked transparency and accountability, providing space for abuse of power and corruption. Thus, there was a need to modernise the public service to make it more efficient, effective, accountable and people-centred to fulfil its transformative role (The Presidency 2014). The post-apartheid policy regime was transformed to respond to the needs of the African population, Coloureds, mixed-race groups and Indians. According to the Government Communication and Information System (GCIS) (2019, p. 14), public policy was infused with the notion of *Batho Pele*, which aimed at improving service delivery to the public. *Batho Pele* is a Sesotho (one of South Africa's indigenous ethnic groups) phrase meaning 'People First.'

From this concept, eight principles through the White Paper as the ethics for transforming public service delivery. These are:

- regular consultation with customers
- set service standards
- increased access to services
- higher levels of courtesy
- more and better information about services
- increased openness and transparency about services
- remedying failures and mistakes
- giving the best possible value for money (GCIS 2014).

Furthermore, *The White Paper on the Transformation of the Public Service* (WPTPS) of 1995 proposed creating several new and additional structures to foster a post-apartheid South Africa transformation process. It promoted effective consultation with public service staff, unions and civil society stakeholders. This is the public policy arena that Thabo Mbeki and his colleagues had helped to create and where he thrived as a policy entrepreneur. For instance, he could reify pre-colonial indigenous public consultative processes known as *izimbizo* or *lipitso* and make them relevant today. Nevertheless, the democratic dispensation and post-apartheid policy regime had allowed Mbeki to stretch his imagination and arrive at crucial innovations in policy matters. He was not hamstrung by a political system and policy regime that were not averse to his grand ideas. Also, the country's policy regime had sought to be transparent

and include all citizens in the decision-making process, unlike some undemocratic countries on the continent. Thus, there was an appetite for policy innovation in post-apartheid South Africa, making Mbeki blossom a policy entrepreneur.

Conceptual premises

Policy entrepreneurship

This chapter considers public policy as the overall framework for government actions to achieve public goals. It relates to government decisions and activities designed to deal with a matter of public concern. Hence, policies are purposive courses of action devised in response to a perceived problem (Cochran and Malone 2014, p. 3). The key concept in this chapter is policy entrepreneurship. According to Kingdon (1995), policy entrepreneurs are actors who use their knowledge of the policy process to further their own policy ends. Entrepreneurs may be elected politicians, leaders of interest groups or merely unofficial spokespeople for particular causes, including Traditional Chiefs in Africa (see *Chapter 11*). They are people with the knowledge, power, tenacity and luck to exploit windows of opportunity and heightened levels of attention to policy problems to promote their 'pet solutions' to policy-makers. Policy entrepreneurs reveal themselves through their attempts to transform policy ideas into policy innovations and disrupt status quo policy arrangements.

For Mintrom (2019, p. 309), there are seven skills that a policy entrepreneur should possess. They are strategic thinking, team building, evidence collection, making arguments, engaging multiple audiences, negotiating and networking. Altogether, these skills allow policy entrepreneurs to deploy key strategies to develop and promote policy innovations effectively. These are problem framing, using and expanding networks, working with advocacy coalitions, leading by example and scaling up change processes. Even though policy entrepreneur has gained currency in the developed world, not much seems to exist in Africa. Bakir and Gunduz (2019) point out that policy entrepreneurship has mainly been studied in developed countries and largely remains a black box in developing countries. Therefore, despite increasingly being recognised as principal actors in policymaking in developing countries, policy entrepreneurship remains under-researched in African policy studies (Bakir and Gunduz 2019). Like many other human activities, policy entrepreneurship represents a complex, interrelated social process in which many activities occur concurrently. The conditions for action are only partly under the control of the actors being examined (Roberts and King 1991). Nonetheless, policy regimes need to be headed by a certain calibre of political leadership in Africa.

Policy regimes and political leadership

Policy success needs a certain type of leadership in the public policy realm because not any political leader can spearhead public policies. As Ginsberg (1994) rightly points out, one cannot deal with policies as a practitioner or even intelligently apply them without *a clear, systematic understanding of the policies and how they operate* (emphasis added). Indeed, part of the competence of a professional is systematic knowledge of one's roles and the reasons for one's work. Therefore, the political leadership of a certain type is central to the efficacy of a policy regime. Such leadership must be conceived as a power relation, as a form of influence or persuasion. Besides, leadership can be taken as a function of a group process or individual personality. Sometimes leadership is associated with a formal position in an organised system;

at others, with an informal relationship between individuals who make things happen and those who lend them implicit or explicit support, as noted by Kellerman (1986, p. xiii). It is important to note that leaders influence how governments perform and serve or abuse their citizens (Rotberg 2012).

For Tucker (1995, p. 11), leadership is a fact of social life in all social spheres, not only in politics but wherever it is, it appears under the aspect of a relationship between the leaders and those whom they lead. To this effect, leadership is a process of human interaction in which some individuals exert, or attempt to exert, a determining influence upon others. Politics in its essential nature is the leadership of a political community and all the activity, including participatory action by citizens that may enter into the process of leadership.

Thus, political leadership means control over policies that affect the public welfare, and political leaders may derive their power from the office they hold in a legally sanctioned state government. The office bestows upon them the authority to choose among alternative courses of action. However, not all political leaders have a formal political office, for example, leaders of socio-political movements (Kellerman 1986). Political leadership often makes a crucial difference in states and other human communities (Tucker 1995). Political leadership is essential to policy entrepreneurship because it can affect the behaviour of other role players in the policy realm and be able to exact compliance.

For Rotberg (2012), political leadership is a social construction that acts within a particular historical and social context. It is a multi-dimensional activation, a peculiar mixture of a contingent situation and personal intervention. It has the impact of individual style and creativity on political challenges and opportunities. Political leadership is critical to the formulation and implementation of public policy. In Africa, this issue takes a very insidious turn as political leaders of different hues and ideological leanings. In most cases of flawed character and questionable credentials have overseen the public policymaking space for decades. This discussion concurs with Rotberg (2012) that outcomes for citizens of the developing world greatly depend on the actions and determinations of leaders and critical political leadership decisions.

However, inadequate leadership also responds partly to the absence, especially in Africa (less so in Asia), of an extensive and cohesive hegemonic bourgeoisie. As Rotberg (2012) opines, most corporate leaders in Africa feed at the trough of the political class. Kalu (2016) laments the absence of an indigenous elite in Africa. Thus, whether it is the hegemonic bourgeoisie or indigenous elite, there seems to be a missing tier of society that could proffer critical leadership, especially political leadership across Africa. Kalu (2012, p. 136) pointedly asserts:

It is the lack of productive engagement in the public policy sector by [the] indigenous elite with viable financial, intellectual and patriotic resources that remains an obstacle to the installation and maintenance of institutional structures that are consistent with modern statehood frameworks.

From this discussion, there is clear nexus between leadership in general, political leadership in particular. Arguably, when individuals embrace their leadership roles, especially political leaders, they can easily morph into policy entrepreneurs. Nevertheless, the quality or calibre of political leadership in Africa should be considered the keystone for effective and efficient public policymaking and policy implementation. Noyoo (1999) links this issue to the notions of good government and good governance. He notes that a good government is an essential vehicle that could translate development plans and policies into concrete actions that

positively impact the citizenry. He argues that this issue becomes crucial in the least developed setting, bearing in mind that such localities are faced with major obstacles of poverty, scarcity of resources, deprivation and general squalor.

The supposition here is that a good government would be run by bureaucrats and politicians of a certain calibre. Also, Noyoo (1999) argues that quality leadership is the *sine qua non* to good government and good governance, while borrowing from Mwaipaya (1980) some salient points. Mwaipaya (1980) had enunciated this issue and juxtaposed it against what he termed mediocre leadership. According to Mwaipaya (1980, p. 2):

The significance of quality leadership is that it engages in rational and objective thinking and tries to make policies that are not far removed from the reality of human nature. Indeed, whereas it is often consistent in its deliberations, mediocre leadership usually acts either without following any kind of objective manner or reasoning or simply follows the dictates of feelings, passions, sentiments or special vested interests.

Rotberg (2012, p. 16) seems to equate these issues to good leadership:

Good leadership separates endeavours that succeed from those that fail. Imaginative political leadership – excellent and all-consuming political leadership – is essentially important, more necessary, and often more lacking in the developing world in recent decades than previously.

Nonetheless, the assertions do not hold water when we scrutinise the record of the president of the United States of America (USA), Donald Trump. Probably, Rotberg's assertions could have made more sense in previous decades, but this hardly presents a global scenario where populism has emerged quite sharply across the developed world. For instance, Trump's presidency has been marred by scandals and controversy and overturned all conventions about civility in politics and presidential etiquette, good conduct and decorum. Trump has amplified hate, fear and racial divisions in his home country and helped to fan the former globally. He lied and distorted issues in his four-year presidency beyond measure. Perhaps the most serious indictment of the Trump presidency is how he mishandled the Coronavirus (COVID-19) pandemic, resulting in more than 200,000 deaths.

Furthermore, across both Western and Eastern Europe, populism has gained ground with questionable leaders being elected into political office. In Britain, populism seems to have resulted in the Brexit saga, which has continuously been chaotic and fractious. After preaching to developing countries about the virtues of democracy and good governance, these old Western democracies have exhibited the worst forms of governance during this period.

Thabo Mbeki as a policy entrepreneur

It may be safe to say that the most misunderstood president, by South Africans, in a post-apartheid era is Thabo Mbeki. This confusion from some South Africans about Mbeki relates not entirely to his leadership or how he led South Africa, including his ideas and vision. Arguably, Mbeki was ahead of his times, and many South Africans are still playing catch-up as they try to understand what he had wanted to achieve. Even those who sought and succeeded in terminating his presidency have apologised to Mbeki and the nation. They conceded to their wrongdoing by leading a vicious campaign against him. To the most, those South Africans who had fought Mbeki had clamoured after Mr Jacob Zuma, who succeeded

Mbeki. Their ‘grievances’ against Mbeki were not apparent and, to the most, spurious. Curiously, Mbeki was only left with seven months before his term as president came to an end. Despite Zuma’s chequered profile and questionable integrity (after being linked to corrupt practices, among other nefarious activities), these South Africans thought Zuma was a better candidate to lead South Africa. Mbeki’s strident critics and foes were the former African National Congress (ANC) youth league President Julius Malema. Malema’s predecessor in the youth league, Fikile Mbalula, who is now Minister of Transport in Cyril Ramaphosa administration, was also a lead campaigner against Mbeki. Other critics, the former leader of the Congress of South African Trade Unions (COSATU), Zwelinzima Vavi, now heading the South African Federation of Trade Unions (SAFTU), and Blade Nzimande, the leader of the South African Communist Party (SACP) and a Minister of Higher Education in the Ramaphosa cabinet, having also served as a cabinet minister in Zuma’s administration.

However, Mbeki’s detractors would regret their actions years later. The Independent Online (IOL) and affiliated companies reported in 2015 that Vavi said that “he was sorry” for believing and championing a stance that Mbeki and his allies had conspired in an ‘imperialist agenda’ to dismiss Zuma from office in the winter of 2005 (when he was Vice President). “I have to apologise on (sic) naively believing that conspiracy theory, and I would want to apologise to Thabo Mbeki today on his birthday that I really believed that this was all made up by him,” said Vavi during a radio interview. “I threw myself, my body, my emotions and soul behind the Deputy President then (Zuma) saying that Thabo Mbeki and his clique are making up the entire 700 charges... I believed this. And 10 years down the line, I do not believe that anymore,” explained Vavi. On 16 February 2016, Malema apologised to former Presidents Mbeki and Nelson Mandela for helping to bring Zuma to power before he led a walkout of his Members of Parliament (MPs) from the National Assembly. Participating in the debate on Zuma’s State of the Nation address, Malema acknowledged that he had “led the charge for the removal of President Mbeki” and admitted this was a mistake. “We were misled by this man,” Malema said, referring to Zuma, who had allegedly told him he was not prepared to work with Mbeki, reports the *Mail and Guardian* (2016). On his part, Nzimande did not make a public apology *per se*, relating to Mbeki’s ousting, but he publicly asserted that helping to remove Mbeki from power was a mistake. Eyewitness News (2017) reported this admission while Nzimande addressed COSATU’s Gauteng provincial Shop Steward Council in Johannesburg. Just two months before this statement, Nzimande had described Mbeki as one of the greatest intellectuals the ANC had ever produced and praised him for his stamina.

On 23 September 2008, Mbeki resigned from his position of president of South Africa after being hounded from office by the detractors above and others within the ANC and tripartite alliance constituting ANC, COSATU and SACP. Since leaving office and active politics, Mbeki has headed peace and election-monitoring missions across Africa. He has also expressed his views and ideas to countless symposia hosted by various South Africa’s civil society organisations. He is the Patron of the Thabo Mbeki Foundation, which he established in 2010. One of the Foundation’s projects is the Thabo Mbeki African Leadership Institute (TMALI) based at the University of South Africa (UNISA). Also, he was inaugurated as Chancellor of UNISA in 2017.

Mbeki continues to dominate the country’s landscape even if he has tried to maintain a low-key existence since his resignation. However, South Africans from all walks of life and many other people abroad continue to seek his counsel. This work identified Mbeki as an African president who was a consummate policy entrepreneur or entrepreneurial bureaucrat. He was not merely a political actor but also an individual who got stuck into the daily grind of running a government bureaucracy, unlike many politicians and presidents in Africa.

Mbeki was indeed consummate in that he exhibited great skill in running the country and heading regional and continental initiatives.

Mbeki was able to invest his own resources in return to implement policies he favoured, as Kingdon (1995) argues. These resources were, among other things: His intellectual capabilities, political acumen and high sense of public duty, and an acute awareness of the historical context and political space he was occupying when he was in power. Mbeki brought attributes to the presidency in dealing with domestic and international issues. According to Noyoo (2015), when Mbeki had taken the reins of power from Mandela in 1998, he had immediately set out to deepen the country's transformation process and consolidate South Africa's democracy. Arguably, Mbeki's presidency unleashed a paradigm shift in South Africa in governance and politics. To drive a coherent and robust public policy agenda, Mbeki's administration had sought to transform and modernise the public service. In addition, the transformation and modernisation of the public service were to be located within a developmental state.

Furthermore, Mbeki pushed hard for an evidence-based government, whereby public policy development would be informed by empirical research and hard data. Therefore, there was a drive to recruit highly skilled individuals into the civil service. Also, Mbeki introduced the notion of 'joined-up government' to ensure smooth coordination and proper policy implementation. Thus, he helped to introduce the cluster system in government.

In 1999, a new Cabinet cluster system was established, consisting of six clusters: Social Sector; the Economic Sector; the Investment and Employment Sector; Justice, Crime Prevention and Security Sector; International Relations, Peace and Security Sector; and the Governance and Administration Sector. These clusters were couched in Inter-Ministerial Committees (IMCs), which brought together various provincial ministers heading different portfolios. The cluster system endeavoured to harmonise common areas for intervention by government departments. For example, in the Social Cluster, the focus was on poverty reduction and the fight against various social ills and to foster social cohesion.

These clusters comprised the following government departments: Department of Agriculture, Department of Education, Department of Environmental Affairs and Tourism, Department of Health, Department of Human Settlements, Department of Labour, Department of Public Service and Administration, Department of Public Works, Department of Social Development and Department of Sport and Recreation (Noyoo 2015). Previously, the Forum of South African Directors-General (FOSAD) was established in 1998. FOSAD developed clusters similar to the Cabinet Committees. There were five DG clusters; co-chairs headed each. The Policy Coordination and Advisory Services (PCAS) was also created in the presidency, and its structure closely matched the five DG clusters. The DG clusters developed a Programme of Action (POA) and reported on progress to their Cabinet Committees and the Cabinet *makgotla* (councils) twice a year in July and January (Noyoo 2015). When Jacob Zuma became president, most of these structures were either abolished or weakened.

Mbeki imbued the country's public policies with his political philosophy known as the African Renaissance on both the foreign policy and domestic policy fronts. Following Noyoo (2015), arguably, Mbeki was acutely aware of Africa's development deficits and chose not to have inward-looking policies. Thus, it is not surprising that he had helped develop a strong foreign policy for South Africa that also emphasised Africa's renewal and development. In many of his discussions, Mbeki had expressed sentiments suggesting that it would not make sense if South Africa did not help foster conditions that led to socio-economic development, peace and security in Africa. Thus, South Africa had to do so because despite being better off economically than immediate neighbours, such problems would inevitably filter through South Africa if they were not tackled at their source. This seemed to have been Mbeki's reasoning.

Therefore, this chapter contends that Mbeki's administration had engaged with fellow African states while being guided by the policy of an *African Renaissance* – which Mbeki was advancing and fine-tuning at the time just like a policy entrepreneur.

Mbeki's envisaged renewal of Africa was dependent on the following keystones: Awakening African pride, putting an end to political misrule and mediocrity, tackling bad governance and impunity by the ruling elite in Africa, ending corruption and the plunder of national resources by the ruling elite, extolling Africa's educated class to lead Africa in its development pursuits, rekindling Africa's glorious past and a call for an active and engaged African citizenry that demanded good governance and quality leadership. It is also worth noting that Mbeki was one of the few African leaders who were instrumental in transforming the Organisation of African Unity (OAU) into the African Union (AU). The OAU had, since its creation in May 1963, pursued the decolonisation of the African continent. However, with the liberation of South Africa in 1994, the continental body began to lose direction and relevance. After deciding to establish the AU in 1999, it was formally launched in 2002. The AU was to go beyond the purviews of its predecessor and focus sharply on more developmental issues such as inclusive social and economic development, continental and regional integration, democratic governance, and peace and security. Mbeki was also one of the New Partnership for Africa's Development (NEPAD) masterminds, a strategic framework document on Africa's development. It arose out of a mandate given to the five initiating Heads of State (Algeria, Egypt, Nigeria, Senegal and South Africa) and the OAU to develop an integrated socio-economic development framework for Africa. The 37th Summit of the OAU in July 2001 formally adopted the strategic framework document. NEPAD is designed to address Africa's socio-political and economic challenges after arriving at concrete solutions. The former are high poverty levels, underdevelopment and the continued marginalisation of Africa globally.

Finally, at a global level, Mbeki was the only African leader invited to the G8 Summit in the early years after this group was formed. This group of the most developed and industrialised nations of the world was at first a closed affair, with Africa not even being considered in its deliberations. Later, this changed when Mbeki was invited as the president of South Africa. Probably, being the president of the most advanced economy in Africa also added to his lustre and endeared leaders in this group to invite him to their meeting.

What was striking about Mbeki's interaction with this group of leaders was that he always made a case for Africa and did not solely focus on his home country, South Africa, whenever he was with them. Mbeki always reminded the leaders of the wealthiest nations on earth about their development commitments to Africa. This attitude went beyond the G8 meeting to other global arenas. Indeed, in all such spaces, Mbeki articulated Africa's position and development aspirations. In this way, he influenced global policy decisions on trade, aid, the environment, peace and security, to mention just a few, to incorporate Africa's position.

Those in charge of these processes were forced not to lose sight of the African case. Thus, as a policy entrepreneur, he was able to identify policy spaces in global fora and tilt them in Africa's favour. He was innovative, persuasive, compelling and in some cases very convincing such that some foreign investors started taking note of Africa, once again, after previous dismal decades of civil war and other forms of insurrection. He famously drove his point home with the notion of "South African serving as a gateway to Africa" in many of his speeches and deliberations.

Conclusion

This chapter demonstrated the role of political leadership and policy outcomes in democratic contexts in Africa. Focusing on the policy entrepreneur leadership of Thabo Mbeki,

this chapter calls to attention a change of political leadership in Africa towards policy entrepreneurship to foster policy innovation that is needed in resolving current problems of development faced by most African states today. President Thabo Mbeki constantly engaged in policy dialogues and intellectual debates with various stakeholders across South Africa and even beyond the country's borders. While he was a political leader and a president of South Africa, he was also an innovator and an individual who could think outside the box. When discussing public policy and political leadership in Africa, Mbeki is a good example.

Nevertheless, the South African political system and policy regime had enabled Mbeki to pursue the policy directions he had chosen at the time. If the policy regime was draconian or dictatorial, most probably Mbeki may not have been as innovative and prolific as he had been. Therefore, the South African case serves as a lesson for other African countries weighed down by undemocratic policy regimes.

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PUBLIC POLICY AND ELECTION ADMINISTRATION IN AFRICA

A controlling or innovative environment

Michael Amoah

Theoretical and conceptual background

Exercising public authority in Africa or implementing public policy has its own peculiar problems against a context fraught with accountability and integrity challenges writ large. The context includes the fact that heads-of-government tend to stay on well beyond their set terms when they first took office, and the longer they stay in office, the more entrenched the bureaucracy undergirding their agenda becomes. The quest for perpetuity associated with such long tenure agendas generates a propensity towards impunity, and for the bureaucracy to toe the political establishment's line, particularly in amending constitutions or fixing elections to retain incumbents (Amoah 2019). As elections are the arena for hatching the stay-over, or a turnover, whatever the case may be, elections have become fair game for incumbents to try and bully the process and tend to be fraught with irregularities to maintain the incumbents. Hence, overturning an election result where the incumbent had won is so rare and daring that it has happened only twice in African politics, during, in the 2017 Kenyan and 2020 Malawian elections, even if the latter resulted in a change of government and the former did not. These developments signal an evolving New Pan-Africanism. The political landscape is emerging with heightened public awareness of public policy malpractice. In this era of globalism, the African Union and its sub-regional bodies are pressured to pay closer attention to bad governance across Africa.

The New Pan-Africanism generates fresh opportunities to review governance procedures across Africa, engenders new avenues for effective public policy administration and monitors international interferences. Therefore, it has been defined as:

Africa's answer to the systems and institutions of global governance when it comes to handling African crises, which for a working definition, could be put simply as pragmatic doses of case-by-case solutions to real-time African problems, taking into account the live geopolitical issues, the wider context of international politics and lessons from the historical context.

(Amoah 2019, p. viii)

While the New Pan-Africanism is ad-hoc and will take its own time to impact on some sacred cow areas of public administration such as election management, we identify that

the issue of heads of state prolonging their presidencies by constitutional manoeuvres, elections or other means is a major cause of conflict on the African continent ... a large number of African heads of state are themselves guilty and do not want to tackle the issue head-on.

(Amoah 2019, p. viii)

Election Management Bodies (EMBs) are the legitimate public authorities tasked with implementing all public policy on elections. The International Institute for Democracy and Electoral Assistance (IIDEA 2014) has categorised three models of electoral management by which EMBs can be designed: (a) independent – autonomous from the executive branch of government; (b) governmental – organised and managed by the executive branch of government through a government ministry (e.g. Ministry of Interior); and (c) mixed – a combination of the independent and governmental models working in tandem (pp. 6–26). EMBs can be partisan (Boyko and Herron 2015) and are hardly independent, even when designed to be independent or named as such. Also, *de jure* independence does “not always translate into *de facto* impartiality, and electoral commissions can fall under the sway of incumbent political forces” (Birch and van Ham 2017, p. 489) especially in high-staked, two-horse race situations and winner-take-all political systems (Kelley 2012; Amoah 2020a). More pertinently, in the emerging digital and electronic age with cybersecurity issues, it appears that whoever controls the EMB’s centralised electronic data aggregation procedures can decide who wins the elections.

Of crucial relevance is the role of local and international observers or monitoring organisations who bring scrutiny to election administration to maintain public trust (Kerr and Luhrmann 2017). Observers and monitors act on public interest, including political parties, media, regional bodies, foreign agencies and supranational entities. However, there are no guarantees that observers and monitors could be non-partisan or even credible. Judith Kelley has pointed out that “no organisation is 100% credible all the time” (Kelley 2012, p. 158).

Furthermore, international observers particularly face national restrictions barring them from crucial aspects of country elections and preventing them from addressing cybersecurity issues and fraud at the central vote collation point aptly known as the EMB’s “strong room” (Amoah 2009, 2020a). Indeed, in countries or situations where the incumbent wishes to thoroughly bully the process, even the candidates who are nationals could be denied their observer rights into the “strong room”, let alone foreign nationals. In such instances, the incumbent-controlled EMB simply announces whatever result they wish. Therefore, international observers are limited to observing the manual ballot processes and, at best, collating electronic results in real-time. Still, there is no international law or protocol to usher them into the EMB’s “strong room” or access and monitor any centralised aspects of the EMB’s vote aggregation process (Amoah 2020a). National data sensitivity issues override international concerns and could either be a valid reason or the cover-up for disallowing foreign intrusions, even if international monitors cannot be fully trusted. This, therefore, reserves the EMB central vote aggregation arena to national influence. The only avenue for international influence is accessing EMB staff and using remote means such as hacking, counter-hacking or espionage. This could be contracted by any interested party, including the incumbent (if they do not wish to be identified as rigging the election), the wider opposition and other parties, whether local or abroad.

Democratisation and electioneering constitute well-trodden paths over which all stakeholders, including incumbent political parties, opposition parties, EMBs, civil society and international monitors, have mastered the art of policing the manual ballot processes. Hence, the state of the art in elections cheating has shifted towards the cyber arena. Here, the government, opposition agents or interested international agencies seeking to rig elections and avoid detection adopt various *modus operandi*. These include influencing EMB officials, government-sponsored hacking and opposition-sponsored counter-hacking to manipulate or control the results' electronic data aggregation. Hence, exercising ultimate control over the electronic aggregation process has become the new battleground and decider for winning an election. It is clear that, at least in Gabon, Ghana, The Gambia in 2016 and Kenya in 2017, the incumbent apparatus won the presidential election when they had control over the electronic vote aggregation exercise and lost when not in control (Amoah 2020a, 2020c). Evidence from the four case studies shows that:

Sleight of hand in manipulating the computation of results has become the new might for deciding who wins presidential elections. It appears that whoever controls the computation exercises a right to take advantage and win, and whoever loses or relinquishes control of the computation loses the election ... this raises a serious challenge for EMBs.

(Amoah 2020a, p. 68)

Therefore, the rules of engagement need to be reviewed and revised. Local and international monitors could have de jure and de facto access to all EMB procedures and allow real-time electronic monitoring access to EMB data management processes (Amoah 2020a). Further to the research on Gabon, Ghana, Kenya and The Gambia, three new cases (the Democratic Republic of the Congo (DRC), Malawi and Guinea-Bissau) are discussed in this chapter, heightening the concerns and recommendations raised in the earlier research. As the saying goes, "might is right", and incumbents will do everything in their power to keep it, but this also means that "the smartest and not necessarily the best candidate can win by sleight of hand". Hence, the saying now is "sleight is right" (Amoah 2020c).

Democratic Republic of the Congo (DRC)

The DRC 2018 general election for president, National Assembly and Provincial Assemblies occurred on Sunday, 30 December. They were organised by the Independent National Electoral Commission (INEC), which the IIDEA has designated as independent (IIDEA 2014, p. 378) and "not above the law or constitution" (IIDEA 2014, p. 11). The top three presidential candidates were Martin Madidi Fayulu of the Lamuka Coalition; Emmanuel Ramazani Shadary, an independent; and Felix Tshilombo Tshisekedi's Union for Democracy and Social Progress (UDPS).

Opinion polls jointly conducted one week before the elections by the Congo Research Group (CRG), revealed Fayulu as the leading candidate. Fayulu had 45%/49% (BERCI/IPSOS), Tshisekedi 28%/20% and Shadary 20%/18% (BERCI/CRG 2019, p. 6). CENI announced on Christmas Day to postpone (effectively cancel) the elections in three areas particularly identified as Fayulu strongholds: the eastern cities of Beni and Butembo, using Ebola outbreak and militia violence as the excuse, and the western city of Yumbi, using ethnic violence in the previous week that killed 100 people as the excuse (Thomson Reuters 2018). When the actual elections took place, the nationwide results announced by CENI

put Tshisekedi on top with 38.57% of the vote, followed by Fayulu 35.8%, and Shadari 23.8% (BERCI-CRG 2019, p. 5).

The official results were blatantly against the grain of two cogent analyses of the actual votes: (a) the electronic CENI tally of 86% of total votes cast, which revealed that Fayulu had won by 59.42%, Tshisekedi 18.97% and Shadari 18.54% (BBC News 2019a; BERCI-CRG 2019, p. 5), and; (b) a tally from the Catholic National Episcopal Conference of the Congo (CENCO) produced by a randomised sample of 43% of polling stations which also revealed that Fayulu won by 62.8%, Tshisekedi 15% and Shadari 17.99% (BBC News 2019a; BERCI-CRG 2019, p. 5). Together with the results of the opinion polls conducted by BERCI-CRG and IPSOS one week before the election, these actual results summarily posited CENI's official results as highly improbably, or quite frankly, false. An alleged arson had already dented CENI's image in its Kinshasa warehouse. Some 8,000 out of 10,368 electronic voting machines were destroyed 10 days to the original voting day of 23, for which reason the voting day was postponed to 30 December. Representatives for the candidates were not permitted to be present at the CENI central vote collation or "strong room". It is believed that the election was rigged for Tshisekedi by the incumbent-controlled CENI in a ruse to prevent Fayulu from becoming the president.

On 12 January 2019, Fayulu filed a petition against the published results, followed by joint calls from the African Union, the Southern African Development Community (SADC) and the International Conference of the Great Lakes Region for an overall recount of the votes (AfricaNews 2019a) but these were ignored by the authorities in the DRC. The DRC's Constitutional Court rejected Fayulu's petition and ruled on 20th January to uphold the official results announced by CENI (BBC News 2019b). The 2018 election was the first democratic transition of power since the DRC gained independence in 1960, and where the first multi-party elections occurred in 2006. Hence, despite CENI's blatant bully tactics, the 2018 election resulted in a significant improvement in the preceding years' multi-party elections.

The New Pan-Africanism did not quite shine through in this particular case. Neither the African Union nor the SADC could vehemently confront the DRC authorities and avert the imposition of falsified election results and a ruse head-of-state, thereby compounding the future politics of the DRC. The country as a whole had fought a relentless battle along the way. It paid extremely high prices over an extensive period from January 2015 to December 2018 to ensure that incumbent Joseph Kabila, whose two terms expired in December 2016, did not stand again as a candidate. However, sub/regional bodies could not exercise the political commitment to enforce the will of the people, as it turned out in the official outcome.

The African Union Commission, its Election Observer Mission and the European Union called for transparency and a recount of votes (AfricaNews 2019b). Conversely, the SADC countries, which previously supported this, such as South Africa and Zambia, later back-tracked (AfricaNews 2019c). Hence, the battle for the soul of the DRC politics was postponed to a future date whereby the disenchanted politics would rehash itself on a political terrain that would certainly not guarantee a level-playing field, especially, with the would-be-incumbent Tshisekedi himself striving to assert authority in his presidential term of office against the existing Kabila-controlled parliament running the country even in the post-Kabila era. In what serves as a precursor to the future, violent protests erupted in several cities across the country when the news broke in July 2020 that the Kabila-controlled parliament had proposed a Kabila ally to chair CENI (Ross 2020) and prepare for the 2023 elections. Public opposition was vehement and widespread against the parliamentary majority's proposal to appoint CENI Secretary-General Ronsard Malonda as the new chair of CENI. The protests stretched over two weeks from 4 to 19 July 2020. Malonda was seen as having aided and abetted all the stolen elections since 2006 (Encyclopedic News 2020).

Malawi

The 2019 Malawian general election for president, National Assembly and local government councillors occurred on 21 May. The elections were organised by the Malawi Electoral Commission (MEC) which is designated by IIDEA as independent (IIDEA 2014, p. 384). The presidential candidates included incumbent president Professor Peter Mutharika of the Democratic Progress Party (DPP), incumbent vice president Lazarus Chakwera of the Malawi Congress Party (MCP), Saulos Chilima of the United Transformation Movement (UTM) party and Atupele Muluzi of the United Democratic Front (UDF).

According to the official results released by the MEC, the DPP, MCP and UDF parties won the most parliamentary seats (62, 55 and 10, respectively) in the National Assembly. It, therefore, sounded logical when the presidential results announced placed Mutharika on top with 38.57% of the vote, followed by Chakwera with 35.41% and Chilima 20.24% (MEC 2019). Chakwera and Chilima subsequently filed a joint petition citing irregularities to dispute the official results of the presidential poll in a High Court, which acted as a Constitutional Court of sorts (Amoah 2020b). Notably, the “Constitutional Court” is not categorically stated in the Malawian constitution. Hence, the court which sat on the petition can at best be assumed as a High Court of sorts, to which any party could appeal the election results, and to which issues of constitutional nature (such as the annulment of elections) could be referred, according to Articles 76(5)(a), 89(1)(h) & 104 of the Malawian Constitution (Amoah 2020b).

After several months of wrangling, the Malawian High Court, which acted as a Constitutional Court, sat on the petition against the presidential tally, and annulled the official results on 3 February 2020 based on widespread irregularities, and therefore ordered a new vote in 151 days while the incumbent stays in power until the revote. This would be the second time in African politics that the result of a presidential poll won by an incumbent had been nullified. The first was the 1 September 2017 ruling by the Kenyan Supreme Court, which nullified the presidential poll of 8 August 2017.

Even so, the Kenyan government quickly forced through specific changes in the law, which removed the Supreme Court’s responsibility to adjudicate on future election results and went on to rig the revote, which occurred on 26 October 2017 (Amoah 2020a). In the case of Malawi, the MEC did not pursue the brazen bully tactics adopted by the Kenyan government in 2017 or the DRC’s INEC in 2018–19. Nor did the MEC pursue electronic sophistication to conjure a win for the incumbent. Instead, it adopted the rudimentary method of applying Tipp-Ex correctional fluid on some tallying forms (BBC News 2019c). The MEC’s apparent lack of mastery and sophistication in the rigging game and loss of total control over the vote-tallying process (as the Constitutional Court investigation took this over) cost their political master dearly.

The incumbent (himself a lawyer) tried to influence the Supreme Court to reverse the Constitutional/High Court annulment of the May 2019 election results and hoped that the higher court could perhaps bully the lower court. The incumbent, therefore, made two simultaneous moves: (a) appealed to the Supreme Court to over-rule the Constitutional Court and (b) asked the MEC to approach the Constitutional Court to suspend the annulment of the election results, pending the Supreme Court ruling (Amoah 2020b). Law-making delay affecting electoral performance is not new to Malawi, whether from “procrastination or lack of understanding or cooperation between the legislature and the EMB or between the legislature and the head of state” as occurred in 1997 (IIDEA 2014, p. 233). On 12 February 2020, the Constitutional Court rejected the MEC’s request (effectively the president’s

request) to suspend the annulment of the 2019 results, pending the Supreme Court's ruling. Subsequently, on 8 May, the Supreme Court led by Chief Justice Andrew Nyirenda upheld the original 3 February judgement of the Constitutional Court, which annulled the election results, and maintained the ruling that a fresh poll takes place in 151 days (on 23 June) with the same voter's register. The winner would obtain the majority of votes – 50% plus one vote (Chimulala 2020).

The Supreme Court ruling on 8 May discredited the MEC, whose chair and ally of the incumbent, Jane Ansah, resigned on 21 May. The incumbent had run out of options. Thus, the government attempted on 12 June to apply what it deemed standard procedure and ordered Chief Justice Nyirenda (who was deemed to have overstayed in office) to proceed on retirement. His retirement at the age of 65 was due on 26 December 2021, and the government argued that he had already accumulated 572 leave days which could not be commuted to cash according to Public Service Conditions for Judicial Officers (The Maravi Post 2020). The order government was resisted, and a dominoes game of politicised countermeasures ensued with the judicial community in Malawi, led by the Malawi Law Society, The Association for Magistrates in Malawi and the Human Rights Defenders Coalition. They jointly filed a case on 14 June in a High Court to issue an injunction against the retirement order (Sguazzin and Jomo 2020). The injunction was also followed by street protests organised jointly by the legal associations (*The Guardian* 2020).

The fresh vote was held on 23 June under a new MEC chair Dr Chifundu Chagale, a High Court Judge. On 27 June, the MEC declared Chakwera as the winner of this repeat election with 2,604,043 votes (59.34%), followed by Mutharika 1,751,877 votes (39.92%); the voter turnout was an impressive 64.81% (MEC 2020). Malawi, therefore, became the first instance in Africa where the incumbent lost the repeat poll after the results of the first poll had been nullified by the courts and set a brilliant example for the New Pan-Africanism. Furthermore, Mutharika gracefully conceded defeat for the peace and love of the country (Chilunga 2020). He appears to be of a different breed from the others of the African presidential extensions club. Earlier during the year, when he delivered an address at SOAS University of London on 21 January 2020, I fielded a question to him about African presidents staying beyond the two-term limit, to which he replied candidly that “one should pave way for others and let them contribute also” (Munthali 2020). I wonder if his reply was somewhat predictive that he was about to forfeit even his second term.

Guinea-Bissau

The 2019 Guinea-Bissau election for president occurred on 24 November. It was organised by the National Election Commission (CNE) which the IIDEA has designated as an independent model (IIDEA 2014, p. 380). The 12 candidates contesting included: the incumbent president Jose Mario Vaz of the African Party for the Independence of Guinea and Cape Verde (PAIGC) that has dominated the political landscape since independence in 1973; Domingos Simões Pereira, also of the PAIGC and a former prime minister; Umaro Sissoco Embaló of the Movement for Democratic Alternation (Madem G-15) that was founded by 15 members who broke away from the PAIGC in 2018; and Nuno Gomes Nabiam of the Assembly of the People United (APU). Just how two heavyweights within the same PAIGC party should stand as presidential candidates in the same election of which the incumbent was also the candidate should tell you something of the turbulence which had embroiled the party:

- Even though Pereira was elected PAIGC leader in February 2014, Vaz won the party primaries to become PAIGC presidential candidate for the 2014 elections which he won;

- Pereira then served as prime minister in July 2014 under a Vaz presidency but lost or quit the role in August 2015 and somehow emerged as PAIGC presidential candidate for the 2019 elections, while Vaz became an independent candidate even though he was the incumbent;
- Pereira, somehow having the PAIGC upper hand, beat Vaz in the 2019 polls.

As no candidate got to the 50% threshold, Pereira and Umaro Embalo, who gained the top votes – 40.13% and 27.65%, respectively (CNE 2019a), went on to compete in a run-off that took place on 29 December 2019, of which Pereira gained 254,468 votes (46.45%) and Embalo 293,359 (53.55%) to emerge on top, according to the provisional results published by the CNE (2019b). These provisional results were disputed and rejected by Pereira and the PAIGC on the grounds of electoral fraud, including ballot stuffing to benefit Embalo and vote concealment at the expense of Pereira (AfricaGuineaNews 2020). Subsequently, they filed a petition to the Supreme Court on 3 January 2020 (Dabo et al. 2020a). The eight-member Supreme Court initially rejected the Pereira/PAIGC appeal on 12 January 2020 and authorised the CNE to publish the final results (AfricaGuineaNews 2020). However, when the CNE released the results four days later, the Supreme Court criticised the CNE for failing to fully comply with its orders to conduct a full audit of the vote and therefore ruled 5-3 on 17 January 2020 that the CNE should clarify its tabulation procedures (AfricaNews 2020b).

While the country awaited the CNE's response, Pereira got wind of Embalo's swearing planned for 27 February 2020 and filed a fresh complaint on 26 February to re-emphasise the requested revote of the disputed run-off (Dabo et al. 2020a). Article 67 of the constitution of Guinea-Bissau stipulated that the incumbent should swear in an elected president before parliament. Arguably, there was a hasty arrangement between Vaz and Embalo on 27 February 2020 (VON 2020) at a reception organised in a hotel in the capital Bissau but without parliament and its Speaker, or the Supreme Court judges and the usual presence of foreign diplomats (Dabo et al. 2020a). This made the Embalo presidency illegal as it stood, especially as the election dispute was still in court. If anything, the incumbent Vaz was to hold the fort at the presidency until a final ruling from the Supreme Court, but here was Vaz, who had already thrown his support behind Embalo during the run-off as spite against Pereira and the PAIGC, swearing-in Embalo illegally. In response, the PAIGC, which won the parliamentary majority in the undisputed March 2019 legislative elections by 47 out of 102 seats (ElectionGuide 2019), also swore in their Cipriano Cassama as Interim President on 28 February 2020 (AfricaNews 2020b).

This was as per Article 71 of the constitution, which states that the Speaker of Parliament should act as president when temporarily vacant. Two presidents of sorts, therefore, existed in the country, one legal and another not so legal. The next day, Embalo announced the dismissal of Aristides Gomes as Prime Minister to replace him with Nabiam, who came third in the first-round ballot. Still, Gomes refused to resign, leaving the country with two rival prime ministers and presidents. Subsequently, Embalo, the former military general, began pulling out all the stops with his own politics of guard deployments in and around the city, thereby causing Cassama to resign as Interim President as a result of sheer fright (BBC News 2020) due to lack of security for himself and family, and to avert a civil war (AfricaNews 2020b).

Even though ECOWAS had asked the army to stay neutral on 2 March 2020, Embalo, who had already moved into the presidential palace with the army's support, escalated the military intimidation towards the Supreme Court when on 3 March, the army occupied the court grounds on his orders and prevented judges from entering their offices (Dabo 2020). Also, public institutions, radio and TV stations were occupied (Dabo 2020). It appeared that

the Supreme Court would never be able to sit, let alone rule on the electoral results. Therefore, on 21 April 2020, ECOWAS acknowledged Embalo and charged him to appoint a new prime minister and government by 22 May 2020, amend the country's constitution and hold a referendum on it in six months (AfricaNews 2020c).

ECOWAS probably took a reality check and adopted a "practical" approach to this matter. Perhaps, having realised that Embalo was politically and militarily powerful, ECOWAS did not want to exacerbate conditions that could generate a civil war. Dealings with Guinea-Bissau in the past had not been that easy and straightforward. Hence, the ECOWAS decision might have been keen on maintaining peace and security. Thus, the New Pan-Africanism did not shine through in this instance as ECOWAS somehow failed to muscle in on Embalo, who had perverted the course of justice. Not only was a golden moment lost for evidence to speak through the bold and concerted efforts of a committed Supreme Court (a rare feat in Africa, considering the rather murky and dangerous political waters in Guinea-Bissau), but a new page of injustice was now opened in the country's politics. Only time will tell what story would unfold.

Within Guinea-Bissau, since the CNE had not conducted a full audit of the vote, let alone submit that audit to the Supreme Court it is hard to know who won the presidential election. Unless, Embalo and CNE officials would have to answer to the courts in the future for the intimidations of the Supreme Court and for the CNE's failure to submit a full audit of the vote, respectively including the tabulation procedures to the Supreme Court, based on Article 72 of the constitution, we will never know the truth of the matter. In any case, how forensic can that enquiry be several years later? This question will depend on whether the full data was available before Embalo became president and remains intact if the constitution is not amended to prevent such an enquiry. As previously mentioned, EMBs are not that independent even where they are designed to be so or when they name themselves as such. In effect, the IIDEA handbook simply catalogued what each country reported about itself.

Policy recommendations

In one sense, the incumbent actions in Malawi were low-tech (Tipp-Ex) and not bullish in a country where the rule of law operates quite well, but this cost the incumbent dearly in a huge political loss. In another sense, the incumbent actions in the DRC were bullish and draconian to make sure the vote aggregation was never transparent in a country where the rule of law does not have a free course. Similarly, in Guinea-Bissau, political actions prevented transparency over the electronic vote aggregation process and prevented the Supreme Court from adjudicating the case.

So it appears that the lessons learnt and the policy implications drawn are not favouring the good practice, but rather set a bad precedent, which strengthens the hands of political stakeholders to undertake innovative, hi-tech, bullish or draconian methods to cheat to gain or maintain political power. Quite clearly, doing the right thing or allowing space for fairness and good practice instead makes you lose. If this trend continues, incumbents would not have the incentive to administer credible public policy at elections and would default to the opposite to stay in power. These lessons reinforce the conclusions and recommendations drawn from the previous research on Gabon, Ghana, Kenya and the Gambia (Amoah 2020a). To neutralise the impunity trend or reverse the bad precedent, here is a list of policy recommendations to be considered:

- The *rules of engagement need to be reviewed* so that both local and international monitors would have *de jure* and *de facto* access to all EMB procedures;

- We should aim to establish and *institutionalise internationally agreed ICT protocols* that would allow real-time monitoring access to EMB data management processes and facilitate forensic audits at any time;
- Once this is achieved, countries will need to sign up so *that independent election monitors could conduct forensic audits of any stage of electoral processes* to investigate interference, manipulation, fraud, hacking claims and counterclaims, whatever the state of the art would be;
- Otherwise, we have no means, agreed-on norms, *protocol or template for the international community to follow to investigate election fraud or settle a dispute*, and if a country made a distress call, the required international intervention could perhaps not be effected;
- *Establishing an internationally agreed protocol would institute the relevant international public policy framework*, and curate the role of international observers in election administration;
- However, there should be sufficient safeguards to address international partisanship, as well as forum shopping (Kelley 2012);
- The African Union should have, as a matter of urgency, and in response to Flagship Projects 10 and 13 on the Pan-African E-Network and Cybersecurity (African Union 2013a) listed in the First Ten Year Implementation Plan of Agenda 2063 (African Union 2013b), *initiate a process with African and global experts regarding how to implement the above recommendations*, especially as Africa stands to gain the most from such an international protocol for monitoring EMB data aggregation processes.

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PART VI

Understanding policy
implementation outcomes in Africa

Country studies



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DEMOCRATISING POLICY IMPLEMENTATION IN AFRICA

Lessons from Ghana's National Health Insurance Scheme

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Emmanuel Yeboah-Assiamah*

Introduction

Public administration (PA) and democracy are mutually supportive in their operationalisation. Democratic systems rely on public bureaucracies for effective implementation and delivery of public services to remain legitimate. Similarly, PA has an inherent democratic element because it relies on support from citizens and politicians for its survival and viability (Spicer 2019). However, despite this reciprocal and reinforcing relationship between democracy and PA, obscurity remains about their compatibility (Spicer 2019). Traditional PA is undemocratic mainly because the hierarchical structures and chains of command isolated the citizens from the administration of the state and implementation of policies (Bryson et al. 2014). Haque et al. (2017) contend that the approaches used by PA to deliver public goods are non-participatory and leave important stakeholders and citizens with little or no opportunity to make inputs. Thus, PA confines management of the state to elected politicians and civil servants, thereby rendering policymaking elitist and exclusionary.

However, this shifted following the adoption of New Public Management (NPM) strategies in the 1980s. The NPM underscored the need to transfer decision-making powers and preference to the citizens as 'customer'. Therefore, the NPM was to deprioritise 'government' and the bureaucracy, in particular, to promote 'governance' as an inherent desire to empower non-state actors in public policy discourses. Nevertheless, NPM also bore unique weaknesses that hindered it from substantially democratising the traditional PA leading to an emergence of the New Public Service (NPS)/value that centres on dialogue, networks and active collaboration with private or non-state associations (Denhardt and Denhardt 2015). Indeed, PA has constantly encouraged progressive reforms. A substantial, rich and vibrant evolution has been recorded, which transcend elements of "the New Public Management" (Denhardt and Denhardt 2007). Focusing on the connection between citizens and citizens, citizens and governments, the NPS draws its inspirations from the democratic political theory.

Inherent in the NPS and emerging approaches is the need for public administrators to focus on civic engagement and greater space for dialogue and deliberation involving both bureaucrats and citizens (Bryson et al. 2014; Osborne 2010). Therefore, administrators see

the public as citizens rather than mere voters, clients or customers, suggesting the need to share authority and control. The government must put the needs and values of citizens first in their decisions and actions. Government officials should connect and understand public interest innovatively and meaningfully engage in the policymaking and implementation processes within democratic values.

Despite the widespread adoption of these democratic governance values globally, their adoption in Asian and African countries enjoy little attention from the research community. It is therefore challenging to ascertain how the public policy process in Africa incorporated democratic values? Drawing lessons from the implementation of National Health Insurance Scheme (NHIS) in Ghana, this chapter explores the extent to which policy implementation has been democratised in Africa. In so doing, we are particularly addressing the following key questions:

- i. What is the extent of information communication and the nature of flow among relevant stakeholders?
- ii. What has been the nature of policy engagement and the extent of inclusivity?
- iii. What are the opportunities and structures for popular participation?
- iv. What are the avenues for social accountability?

Democratising PA: the art of citizen participation

It is vital to promote various forms of public participation, especially between leaders and the governed, in public value and for accountability purposes. The lateral relationships between public administrators and their community members remain crucial in the overall rating of public sector performance, leading to effective public service delivery (Denhardt and Denhardt 2000). This is central to the new public governance, elevating citizens and civil society to be on the same page with government and elected officials. Public participation has been conceptualised to mean the interaction of citizens and public administrators and the direct participation of citizens in public policy decisions, public service delivery and quality improvement processes (Callahan 2007).

Democracy underscores self-rule, collective decision-making and collaborative efforts by both public officials and the citizens. Those in public authority should meaningfully involve and engage the public in major decisions and implementation efforts, resulting in public value governance, legitimacy and trust in policy processes. Ofttimes, liberal democracies struggle to connect with and satisfy the aspirations of citizens or face a 'democratic deficit' (Hindess 1993). Declining trust in public agencies and officials, the rise of social movements, public sector transformations coupled with new expectations of service quality have consequently made public officials sensitive about legitimacy. The demand for a more transparent and penetrable policy process tends to challenge existing political and administrative structures. Such trends link participation to direct democracy, preferring citizen control of an issue to mediation through representative bodies such as the legislature, organised groups, local networks and associations and general citizenry. Invigorating democratic values in the public policy process is increasingly becoming synonymous with the notion of participation needed for policy improvement and to draw disaffected citizens back to the political mainstream.

The democratisation of public institutions has been central in opening the policy processes to local communities and voluntary groups (Giddens 2000). The notion of 'democracy deficit', which connotes the failure of established, liberal notions of representative or participatory democracy to link citizens with the state's institutions and processes, impacts

the quality and vibrancy of democracy besides resulting in reduced accountability (Gaventa 2004). Moreover, Carothers (2005) notes that political participation declines in a context where poverty, inequality and corruption increase and citizens become increasingly sceptical and distrustful of political parties and institutions.

This widening gap between citizens and state institutions results in what Skocpol (2003) has called a 'diminished democracy'. Globally, policymakers, analysts, researchers are making attempts at exploring how best to connect with citizens in government decision-making, especially in policymaking processes. However, citizen participation in policymaking is currently reduced to participation by the elite, organised civil society through non-governmental organisations (NGOs), business and other interest groups with access to enormous resources. Crenson and Ginsberg (2002) refer to this as 'downsized democracy', the monopoly of participatory processes by elite forces. Here, we refer to it as 'convenience sampling democracy'.

There is a shift towards the deepening of public participation by communities in government decision-making efforts to optimise and involve the marginalised groups in policy processes. However, it should strengthen representative democracy and participatory mechanisms; build civil society as an external counter-force to the government; bringing civil society into the state through co-governance and service delivery; etc. (Fung and Wright 2001; Cohen and Fung 2004). Extant literature on African public service and different chapters in this volume demonstrates both the prevalence of diminished and convenience sampling democracies in public policy processes. We further assess the degree to which these notions are reflected in the case of NHIA in Ghana.

The instrumentality of public participation

Citizen participation in policy decisions and public service is a democratic ideal. It brings citizens together with policymakers and administrators over policy decisions and public services (Callahan 2007). The government is to be *of, for and by* the people. When this happens, citizens will have a personal interaction with policy decisions and influence the decision-making process. Involving the public in policy decisions provides a means of incorporating their ideas, views and interests, thereby promoting responsive and democratic governance. The traditional PA has given way to new forms of governance where public authorities are no longer responsible for providing most of the needs of the state (Osborne 2010) but leaving most of such decisions to the third sector mostly made up of NGOs. This governance approach creates a balance between rational choice, efficient allocation of resources and transparency concerning how the processes are done. It strengthens decentralisation but weakens centralised control of affairs. It provides room for innovative forms of horizontal cooperation between government and civil society, leading to polycentric decision-making. Much as this shift may seem problematic in Africa (e.g., see *Chapter 31*), African administrative systems are increasingly becoming polycentric to enhance public participation in public policy processes.

Democracy in public policy spaces: forms and mechanisms for public engagement

Extant literature discusses at least three main approaches for engaging the public. These are based on the *type and nature of information flow between the participants and the sponsors* (Rowe and Frewer 2005). The sponsor is the individual or agency leading the engagement process,

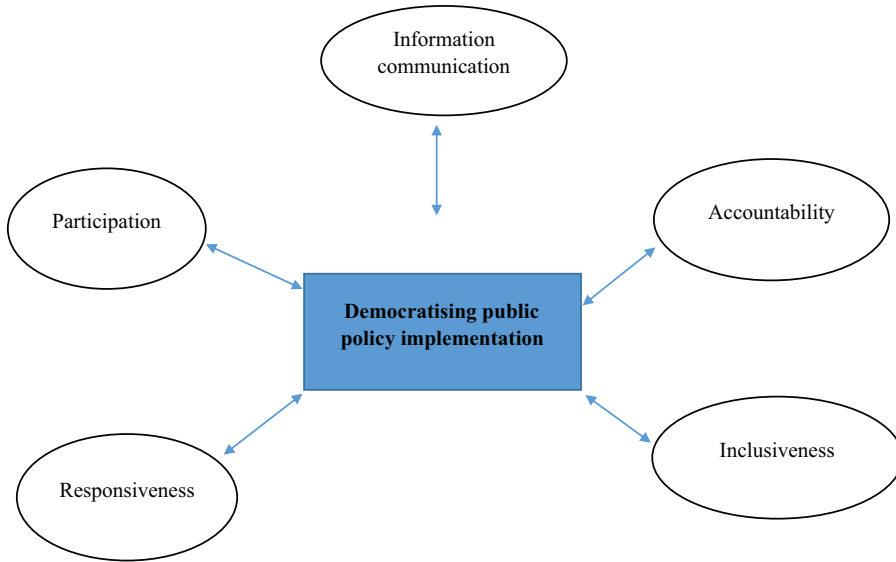
while the participants are the target groups of the engagement process. This sponsor could be the government, regulatory authority or the civil society organisation, while the participants are usually community members or organised groups and sections of society. The three approaches for engagement between these two entities are *public communication*, *public consultation* and *public participation*. The typology essentially depends on the flow of information either by the sponsor in the unidirectional manner or in both ways. It may come solely from the public to the sponsors. The first form of engagement is *public communication*: information flows from the initiative's sponsors to the general public or participants. The flow of information is unidirectional. To a greater extent, the flow of information does not involve the general public because there is no feedback (Rowe and Frewer 2005). Sponsors are not bound to integrate and respond to public remarks even if they attempt to make any inputs at all.

In the *public consultation*, information flows from public members to the sponsor (Rowe and Frewer 2005). No formal dialogue takes place between the individual members of the public and the sponsors. The inputs gathered are the opinions of the public on the issues concerned. In *public participation*, however, there is a two-way flow of information. There is some degree of dialogue between the members of the public and the sponsor. In many instances, this dialogue takes place in groups. Group representatives may receive additional information from the sponsors. This goes a step above the other two forms of engagement because dialogue and negotiation serve to transform the opinions of both parties (Rowe and Frewer 2005).

Sponsors and public actors use various approaches and means to engage participants. These include, *inter alia*, workshops, citizen referendum and town hall meetings. Public participation serves multiple purposes, including fulfilling legal requirements, advancing social justice, enhancing an understanding of public problems and an avenue for generating potential solutions to public problems (Bryson et al. 2014). Public participation helps government decision-makers be more informed, thereby having a broader view of issues (Fung 2007). Besides creating equitable resource distribution, it can proactively develop resources to address future problems, thereby enhancing trust and legitimacy. In Africa, however, these forms of public engagement may lend more to the mediative role of informal networks and structures that animate modes of public communication and participation in public policy processes. Policy arguments and negotiations in Africa arguably take place outside the formal state structures effectively. Again, public engagement requires an informed/active citizenry in policy processes and effective citizen oversight. Besides, bureaucratic secrecy in the government is a significant challenge in public policy processes in Africa (Onyango and Hyden 2021). Still, in assessing the degree of democratisation of policy implementation processes, we draw on the World Bank's good governance indicators. In these indicators, policy implementation must ensure, *inter alia*, popular participation, transparency, inclusiveness, responsiveness, and accountability and information communication, as illustrated in Figure 28.1.

Overview of Ghana's National Health Insurance Scheme (NHIS)

Ghana's health policy framework, the NHIS, provides a social health policy framework that delivers financially viable and socially inclusive health care to all. The policy aims to "secure the provision of basic healthcare services to a person resident in the country" (NHIA 2003). The Legislative Instrument (LI) 1809 passed in 2004 sets out the regulations under which the NHIS is to be implemented. The Act provided for the establishment of a National Health Insurance Authority (NHIA) to manage the scheme and a National Health Insurance Fund



Source: Authors

Figure 28.1 Democratised public policy implementation framework

(NHIF) to provide a sustainable means of funding the scheme. It also provides for a National Health Insurance Council to manage the NHIF, regulate the private health insurance market and accredit and (in collaboration with relevant agencies) monitor service providers under the scheme. There are offices in each of the administrative regions of Ghana, which receive subsidies, reinsurance and technical support from the national secretariat and NHIC to be to the satellite units (districts).

There are also regional secretariats and the District Health Insurance Secretariats, which manage the District Mutual Health Insurance Schemes (DMHIS). The institutional setting is that policy directive, circulars, regulations flow from the NHIS national secretariat and NHIC to regional secretariats and finally to the district secretariats. The district secretariats of NHIS work hand-in-hand with health care facilities and health care service providers. These health care facilities and health care service providers are the actual implementers of NHIS at the local level as they render health care services to NHIS beneficiaries. As part of its operational structure, in the new NHIS law, the National Health Insurance Act, 2012 (Act 852), the NHIS involves beneficiaries and other local governance structures, such as chiefs and local associations, to support its implementation.

Methods

Our analysis is based on primary and secondary qualitative data. Primary data entailed interviewing purposively sampled NHIA officials and subscribers from three districts in the Ashanti region of Ghana. This mainly involved the use of a semi-structured interview technique. A total of 60 (15 officials from NHIA and 45) participated in the study. These were triangulated with secondary data drawn from documentary analysis of key document reports, NHIA newsletters and annual reports.

Results and analysis

Information and communication: essential drivers for democratising policy implementation

Democratising PA requires the effective dissemination of policy-relevant information to stakeholders and beneficiaries. Information and effectiveness in communication allow the citizenry to make informed decisions and choices. Information and communication provide up-to-date information to the citizenry on policies besides providing implementers with feedback on the impact of specific interventions and the policy in general (Frieden 2014). The Ghanaian NHIS demonstrates that the policy to which citizens contribute premiums, information and communication information flow is crucial. The citizens need information on services, including premium cost, method and timing of paying a premium; benefits offered by the scheme; mechanisms for preventing and addressing fraud; and information about the quality of health services provided for community members to make informed decisions enrol. Also, communication with implementing agencies and providers is essential for them to understand the challenges that thwart the success of interventions.

Interactions with community members and officials in the districts revealed that general awareness and accessibility of information on the NHIS had increased over time. The scheme is accessible because the NHIA engages in outreaches and campaigns to educate community members on its services and benefits package. The various local NHIA agencies have information and public relations sections that go into the communities to disseminate information on the scheme. The scheme also shares information through different sources, including national and local media platforms, NHIS posters and flyers, handbills. All these had made information on the NHIS relatively accessible and understood among clients. This had reduced uncertainty and anxiety among clients and ultimately enhanced enrolment. A respondent affirms:

I did not join the NHIS when it came first because there were many issues I did not understand, and information was not available. I remember that in those days, we were unsure about how to access healthcare when one found himself in another district. Also, when you went to a facility, and they told you a particular condition or medicine was not covered, you could not say anything because the information was not available. Now, there is a lot of information about the NHIS, and that puts everyone at ease. I am better informed and can insist on what I deserve.

(Fieldwork interview, Abrepo)

Thus, unlike the traditional PA paradigm, where information about public policies remained in the bosom of civil servants, the post-NPM creates space for other non-state actors, making information flow a non-negotiable requirement for democratisation. Information and effective communication help alleviate suspicion and engender trust among stakeholders to engage in cooperative activities.

Top-down nature of information communication and engagement

Information communication with officials is important for democratising policy implementation. Views expressed by community members suggest that although some communication between them and the managers of the scheme, it has not been regular and well organised to

truly get the people's views. These are constrained public perceptions that the NHIA does not consider views seriously, contributing to public mistrust of the scheme. This sentiment was captured by one respondent who indicated:

I will say communication with managers of the NHIS has not been too effective. To a large extent, they only send information to us without any forms of engagement. But the few times that we had the opportunity to engage them has been very useful in clearing up some misconceptions and misinformation and helping us understand the motives behind their decisions. For example, when they piloted capitation, there was suspicion all around that it was a political arrangement against the Ashanti region. But after the NHIA went round to communicate with clients, people understood it and went along
(Fieldwork interview, Assemblymember, Kumasi).

The NHIA acknowledges the important role of communication in the decision to enrol. They indicate that communicating with clients, stakeholders and the community helped them understand clients' needs and respond appropriately. It served as a means of generating feedback, helping them evaluate the impact of their interventions and improving their services to satisfy clients. The feedback that generated better positions them to be more responsive to clients' needs. An official argued:

Communication with community members has been very instrumental in how far we have come as an authority. When we go on outreach programmes, you will be surprised by the kind of feedback we get. It has proven to be very important in helping us improve our services over the years. I can tell you that most of the changes and innovations introduced in recent times have been due to the feedback we collate from the field.
(Fieldwork interview, NHIA office, Kumasi)

Due to the benefits of communication, the authority had instituted several measures. These include strengthening of their public relations unit to serve as an interactive interface between the NHIS and the general public; the introduction of the call centre to link subscribers, stakeholders and the general public; and regular seminars and sensitisation programmes to educate the public and for them to express their views. Through such means, client challenges are identified and addressed.

Inclusiveness: engagement between the NHIA and the citizenry

An important indicator of democracy in the public policy process is how the public agency engages the citizenry and other relevant stakeholders for regular feedback and input into the policy and regular review. The NHIA recognises the importance of such interactions with its clients and other stakeholders. Therefore, as part of efforts to involve them in its activities, a series of citizen engagements are to be held every year to deliberate on issues relating to the scheme's operations (NHIA 2015). However, in various NHIS annual reports, the authority acknowledges that these meetings are rarely organised because of financial and operational challenges. In the rare cases where they are organised, state actors such as NHIS; NHIA Board Members; Members of Parliamentary Select Committee on Health; and other development partners, academia, representatives from ministries of health and finance and various health care provider groups. Participation by the ordinary citizenry in such engagements has been limited.

This situation was corroborated by some community members, who indicated that they have never interacted or engaged with NHIS agents and staff, apart from going to their offices to renew their cards. A respondent expressed this:

I am aware of such engagement meetings with the NHIS, but we are not invited so I have never participated and I don't know anybody from here who has also participated in any. The only form of engagement is when they come to do campaigns, or when I go to renew my membership in their offices.

(Fieldwork interview, Toase)

Thus, after 16 years of implementation, the NHIS policy remains inadequately democratised to engender participation by the citizenry, hence, affecting local support and policy ownership. Members of the public still appear to be alienated from the policy and tend not to regard themselves as policy owners. As the link between the state and society, the public bureaucracy, ideally through its interaction with actors, would channel information upwards from clients into the black box while maintaining continuous contact with the public as they administer government programs. This will help fine-tune public policies, address challenges inherent with the policy and use such platforms to explain particular provisions to assuage the fears held by clients. The absence of this inclusiveness and engagements would lead to a vacuum between public agency and clients, which may be filled with incomplete information, mistrust, suspicion and propaganda, affecting the smooth implementation process. Interactions and trust relations between communities and the state are low.

Opportunities for participation: inclusion of community structures in policy implementation

The inclusion of community structures is essential for implementing government programs and an indicator of how PA has been democratised. In countries like Ghana, democratising PA requires existing local/community structures to implement public programs. This is because of the predominance of these structures in the communities. Local institutions and public leaders have social acceptability that can facilitate connections between communities and government programmes. These community structures also provide opportunities for participation and legitimacy of public policies, besides the formal government structures. This has been the theoretical basis of decentralisation and current policy management discourse, emphasising community involvement as a central policy element.

In the NHIS governance structure, there is the involvement of these community structures in policy implementation. There are roles for traditional authorities and other opinion leaders like the clergy and assembly members in the schemes of operations. For instance, the NHIA acknowledged the role of local traditional institutions in its activities. They deem it crucial to make overtures to traditional authority to whip up enrolment because, from their experience, it is impossible to implement the programme without the involvement of traditional authorities effectively. An official observes:

In fact, we have it as part of our programme to involve chiefs in the process, but it has not been too effective over the years. Now we are even more resolved that, that that is the way to go. That is why in the identification of the indigents, for example, the scheme depends so much on the chiefs and other opinion leaders to assist...

(Fieldwork Data: Interview, NHIA official, Kumasi)

This view was validated by a chief who lamented:

Traditional authorities command more influence in their areas of jurisdiction than the modern governance structure. But as far as I know, there has been little, if any, effective involvement of chiefs in the NHIS. Our role is not clearly defined, and so far, it has been limited to merely inviting us to community sensitisations.

(Fieldwork interview, Atwima Koforidua)

This suggests that in the implementation of NHIS programmes, the involvement of traditional authorities have been minimal. Existing mechanisms to include them have not been effectively deployed, and the policy is not well embedded with existing governance structures. Officials do not have a formal arrangement on how to involve traditional authorities, and therefore, only involve them when the need arises, for example, during sensitisation in the communities.

Avenues for accountability

The degree of democratisation of a public institution is also expressed in the extent of accountability. Accountability measures the ability of public agencies and officials to provide answers for their work activities, actions, inactions and programs. Accountability does not happen in a vacuum but is a product of participation and transparency. The extent to which community members and groups are integrated into the accountability mechanisms and processes can effectively stimulate their support, participation and ownership of policies and programmes. To what extent do community members, structures and individuals exercise control over implementing agencies and their processes in public policy implementation in Africa? What are the prevalent opportunities for local systems to a part of the accountability process?

The NHIS policy document clarifies that the policy is decentralised to the regional and district levels to ensure accountability to stakeholders (NHIA 2014). This suggests a bottom-up approach to make districts accountable to the citizens. Beyond this, the authority provides avenues for the citizenry to demand accountability. These include avenues such as reports and complaints boxes in the agency, hotlines for reporting abuses. There are other accountability systems at the national level, notably the supervisory Ministry of Health and the Committees of Parliament.

Nonetheless, community members felt that they did not have adequate control over NHIS officials, service providers and other health professionals. Although most of them are conscious of their duty and opportunities to demand accountability, they felt constrained because of the likely negative consequences from NHIS professionals. Others were not bothered and felt that their complaints would not count because of how the system is designed. A respondent highlighted this feeling of helplessness:

There are several things that officials do that do not auger well for the scheme. Some of these are the poor treatment of clients in the service centres and abuse of the scheme resources. But the truth is that you cannot do anything about it so you just keep quiet and watch. In fact, if something is going bad and you dare raise a voice, you will be met with disdain, sometimes from other officials. I think it is also because there is no supervision over these service providers.

(Fieldwork interview)

The NHIA, while pointing to accountability systems in their set-up, acknowledges its limitations. On the conduct and accountability of staff, they maintain that apart from their own NHIS staff, the control of various health professionals fell outside their jurisdiction.

The conduct of some health professionals, particularly in public facilities, is a problem that we are aware of. But the Authority is somehow limited because unfortunately, disciplining health professionals fall outside the mandate of the NHIA. So what we do when we get such complaints because we report culprits to the relevant professional bodies to which they belong. Sometimes too, we ask the facility managers to take action.

(Fieldwork Data: Interview NHIA official Kumasi)

The extent to which citizens can influence the management of policies and programmes that directly affect them contributes to trust between them and public institutions. Apart from enabling them to exercise control over public officials, it also makes them feel a part of the process and engenders ownership of policies and programmes. Aligning PA and policy implementation practices with democratic norms such as participation and transparency, as shown above, have implications on accountability. The extent to which community members and groups become part of the policy implementation process can stimulate their support, participation and ownership of policies and programmes. Community participation and support also depend on the extent to which individuals and groups exercise control over implementing agencies and their processes. As demonstrated in the NHIS experience, transparency in scheme management, capacity to exercise control over the scheme, mechanisms for checking abuse/fraud and accountability are critical influences supporting the scheme. These key variables conceptually link implementation to democratising governance and current public management (Fox 2015). A good accountability regime helps ensure trust in systems. Therefore in a voluntary arrangement like the NHIS, it is pertinent that the scheme's internal and external governance measures are correctly aligned to ensure transparency, accountability and trust, to drive enrolment.

Conclusions

This chapter shows that a consensual approach to policymaking is emerging in Africa, particularly in Ghana's NHIA policy since the return to democratic rule in 1993. This paradigm shift has variedly improved the design and implementation of public policies and programs in Africa. Nevertheless, the situation is far from satisfactory because the citizenry and other unorganised groups still suffer policy alienation. Official actors still have a stronger urge over non-authoritative players in participatory episodes, and elected and appointed participants possess an informational advantage for non-state policy actors. Together, these adversely affect the quality and effectiveness of participation and undermine the legitimacy of the democratic governance project in Ghana. Thus, against all indicators of democratic public policy implementation, the study observes lapses that suggest a need to step up in the democratic ethos of the policy process. In short, policy success depends on how opportunities are created for the citizenry to be a part of the process. The involvement of the public and other actors is linked to their own perceptions regarding their ability to influence social outcomes through participation.

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COMPETING INTERESTS AND LACK OF POLICY OWNERSHIP OF THE REFORM AGENDA

A barrier to Uganda's reform success?

William Muhumuza

Introduction

The autonomy to make national policies in Africa generally has been ceded to multilateral and bilateral donors in the post-cold war era (Brown 2013). Accordingly, Africa's domestic policies have been largely shaped by external players and hence laden with Western norms and institutional models (Fatile and Adejuwon 2010). This, coupled with the imposition of Western interest, is a faulty public policy approach used by donors (Polidano and Hulme 1999). Often, donors use the pretext of weak capacity and a short time frame to introduce highly prescriptive and directive policies (Ball 2005). Thus, while, in theory, donors respond to client governments' needs, in practice, they often identify clients' needs for them (Polidano and Hulme 1999). The tendency of donor-driven reforms to disregard contextual factors negatively affects policy outcomes (IMF 1997). This chapter reasons that while the need to reform Africa's public sector is paramount, the content and approach used by donors create conditions for dismal performance. Donors use a pretext of policy reforms to globalize Western values and institutions disregard contextual differences. The African governments cannot resist such value-laden policy reforms even if they deem them inappropriate because of the desperate need to access the much needed financial aid.

In most cases, donors ignore the practicability and financial implications or even the extent to which such reforms strengthen or weaken the political power of the incumbent regime. If policy reforms threaten the power of recipient governments, they are either manipulated or starved of the political support required during implementation. Indeed, donors have of recent recognized the essentiality of local ownership to the success of public sector reforms (PSRs) contrary to the 'one-size-fit-all-jacket' approach. There is a growing consensus among the donors that the impetus for diagnosing, determining solutions, content and pace of reforms be led by local stakeholders while donors simply facilitate rather than drive reforms (OECD 2005).

However, local ownership has remained elusive (Bendix and Stanley 2008). This chapter draws on Uganda's experience with PSRs since the 1990s. It shows that where donors only pursue selfish interests, and care less about local ownership and implications of such policy reforms to the power and influence of the political leadership of recipient countries, there is a

greater risk for reform failure. However, where donors allow aid recipient countries to own, shape and navigate the reforms to the direction they deem correct, there are higher chances of reform success and sustainability.

Two PSRs implemented in Uganda with the support of donors serve as cases of analysis. In one PSR where the National Resistance Movement (NRM) government had the leverage to determine the needs, pace and mode of implementing the sensitive defence reforms, the results were relatively impressive. Conversely, donor-driven PSR stagnated with disappointing results. This chapter draws from secondary data sources supplemented by the author's vast knowledge, research and lived experience in Uganda. In its organization, the following sections begin with a brief explanation of the Uganda Defense Reform Programme (UDRP), highlighting the objectives, funding and the defence review process. The subsequent section examines how the reforms were implemented and the challenges faced during the process. The second part discusses the Public Service Review and Reorganization Commission (PSRRC) reform process and why it performed poorly in enhancing policy effectiveness. I conclude by examining the reasons for variations in the two reforms and lessons drawn to inform future reform programmes.

PSRs in Uganda

Case 1: Uganda's defence reforms

The UDRP began in 2001. The implementation of these reforms has had relative success because of genuine political will by the NRM leadership, which pledged in formative years to transform the character of Uganda's army and bring peace and stability to the country (NRM 1985). Also, the positive donor approach that somehow departed from the usual patronizing and prescriptive tendency to give government ownership of the process led to positive reform outcomes. The critical donor player, UK-DFID, was limited to providing technocratic and financial assistance leaving the sensitive political aspects to the government. This trade-off helped to stave off the threat to NRM's power and policy control, making the process a relative success compared to other PSRs in Uganda.

On political will, the NRM leadership had before capturing power a drawn strategy to transform the army. The home-grown Ten-Point Programme – the NRM's political agenda – provided for a pro-people army that would guarantee peace and the nation's security (NRM 1985). The NRM's promise to transform the security forces was genuinely tied to Uganda's troubled past of human right abuses, illegality, lack of professionalism and instrumentalization of the security forces – a legacy of British colonialism (Lwanga-Lunyiigo 1989). The police were disbanded and a new one recruited in 1986. The National Resistance Army (NRA), a guerrilla army of the NRM, was re-organized and legalized through, for instance, Legal Notice No. 1 of 1986 that repealed the 1964 Armed Forces Act. Also, the enactment of the NRA Statute of 1992 provided for a pro-people military ethic (ROU 2004). Other formalities included removing Kadogos (child soldiers) from the army, establishing proper structures and institutions and re-training the officer corps. There were further attempts to integrate soldiers from other rebel groups, such as Uganda National Rescue Front (UNRF), Uganda Freedom Movement (UFM) and Federal Democratic Movement of Uganda (FEDEMU), West Nile Bank Front (WNBFB) and Uganda People's Democratic Army (UPDA), among others.

However, the home-grown initiative to reform the security forces was disrupted by the rising insurgencies in the north, east, west Nile region; some isolated parts in central and western Uganda; and armed cattle rustlers in Karamoja. The escalating insurgencies led to

high defence expenditure when donors financed almost the entire national budget. The insurgencies also necessitated a big regular army supplemented by Local Defence Units (LDUs), vigilantes and regional auxiliary forces, such as Amuka in Lango and Arrow Boys in Teso. The high defence expenditure created unease within the donor community when structural adjustment programmes (SAPs) were being implemented. It was in light of Uganda's skyrocketing defence spending that grew from US\$58m in 1988 to US\$476m by 1995 and post-conflict state rebuilding that sparked donor pressure for security sector reforms (SSRs) (Anderson and Fisher 2016).

This period (the 1990s) coincided with a global policy shift where the notion of human security was viewed as a prerequisite for development (Wulf 2004). Coupled with the development-security nexus, was the reconceptualization of national security after the Cold war from the narrow traditional notion that stressed territorial and regime security but ignored human security. The new conceptualization broadened security to incorporate democratic governance principles of security, such as citizen control and oversight over security services, respect for human rights, efficiency, accountability, professionalism and sound principles. Accordingly, donor development priorities were expanded to incorporate the security sector, which was previously neglected (Abrahamsen and Williams 2006). This new thinking about development greatly influenced the donors' aid programmes to the developing world to the extent that SSRs took centre stage.

The new framework for development assistance explains why even the World Bank, which used to steer off the political terrain because its mandate forbids it, played a key role in funding the first phase of Uganda's SSR from 1988 (Banegas 2006). Consequently, the inextricable connection between development and security required that aid be tied to SSRs. This rationale was imposed on Uganda despite the volatile situation ensuing in the late 1980s and 1990s. Regardless of the security threats to the nascent NRM government, donors stubbornly pressed the government to implement security reforms that reduced the army's size, which was unrealistic (Hendrickson and Karkoszka 2001, p. 196).

Despite a shared view of the need for security reforms by both the NRM government and donors at this time (1988), the only difference was the appropriateness of timing. Whereas the government sought to pacify the country and consolidate its power before embarking on the SSR, the donors pressed for immediate reforms. Given that the NRM was heavily dependent on foreign aid at the time, it could not risk antagonizing donors and had to accept the reforms as a tactical survival strategy. Hence, the first donor-driven SSR that began in 1988 was devoid of political will and lacked local ownership. The donors provided a 'one-size-fits-all' framework of Demobilization, Disarmament and Reintegration (DDR) for adoption by the government. The high-handed mode of defence reforms robbed these reforms of the necessary political support and sustainability.

The first phase of the reforms consisted of the conventional DDR model implemented with support from the Multi-Country Demobilization and Reintegration Programme (MDRP). Donors funded this democratization programme to the tune of US\$40m between 1992 and 1995 (Finnegan and Flew 2008). The donors pressed for the reduction in the size of the army and defence spending to free resources for economic development. The government grudgingly accepted SSR reforms to not lose out on the funding but with serious reservations. For example, the Lord's Resistance Army (LRA) posed a serious threat and other potential security threats for instability from DRC and Sudan. Initially, US\$4.2m was released between 2005 and 2007 to support Uganda's Amnesty Commission, whose role was to forgive those combatants who willingly put down their arms and assist their reintegration into society.

However, the NRM government did not adhere to the donor terms and conditions. The army and defence spending size continued to rise, which precipitated the MDRP to withhold funding SSR (Finnegan and Flew 2008). This rejection stemmed from the unrealistic donor approach and a highly volatile political environment. Donors also disregarded the NRM government's need to consolidate its nascent power being barely two years in power, and the country was not yet fully pacified. Donors also cared less about the prevailing conditions emerging from many years of the war characterized by institutional and economic collapse. They also ignored key ingredients to reform success, namely, local ownership of the reforms by the political leadership.

The second phase of the SSRs began in 2001. Like the earlier phase of home-grown defence reform, the second initiative came from the NRM government, although donor pressure to reduce the escalating defence expenditure had persisted even after the donors had withdrawn from funding the SSRs. President Museveni renewed his pledge to 'transform' the army in his 2001 election manifesto. He promised to modernize and professionalize the military to have the required capabilities to defend the country's interests. Through a learning process, donors had become realistic and were willing to take a low profile and facilitate rather than drive the defence reforms. The new convergence of political will at the highest political leadership level and the donor willingness to let the reform process be locally owned may have made the UDRP a success. Though the reform process began earlier, the implementation process did not happen until 2004.

Motives that underlined the UDRP reform process

NRM's political leadership needed to reform the army for various reasons. First, the armed insurgencies which had necessitated a big army were declining. Even the once formidable LRA in northern Uganda was weakening. The return of peace and stability in much of the country made it unnecessary to maintain a big army. The excess force had to be shed off, especially the aged, sick, disabled, poorly disciplined and illiterate soldiers. The end of armed insurgencies created an opportunity to transform the ragtag guerrilla force into a modernized force. According to ROU (2004, p. 11), there was a need to have a small, well trained, equipped and affordable force to defend the country from internal and external threats. Many combatants could not qualify to be part of the modernized army and had to be laid off.

Furthermore, President Museveni needed security reforms to consolidate his power. The reforms could neutralize the intra-military competition by the 'historicals' who helped him capture power. The term 'historicals' refer to senior officers who helped him wage a five-year guerrilla war from 1981 to 1986. The initial consensus among the historicals was for the NRM to serve as a transitional government for only three years. Later on, the transitional government was extended to allow the creation of the necessary constitutional safeguards to transfer power to a democratically elected civilian government. Putting in place constitutional safety nets ended in 1995 with the promulgation of a new constitution that was supposed to pave the way for not only a democratic process but also the first peaceful succession in Uganda's political history.

Nonetheless, President Museveni seemed to have had a hidden agenda to cling to power. The UDRP appears to be one of the mechanisms he sought to eliminate the stubborn historicals pressuring him to leave power. The UDRP was instrumental in recruiting a young and loyal cadre of officers he would rely on to retain power. The President may have also wished to use the UDRP as a way of regaining international legitimacy and subsequently convince the donor community to re-open the aid taps to the Uganda government, which had reduced from 20% of Uganda's GDP in 1990 to 13% by 2000 (Anderson and Fisher 2016).

By the late 1990s, donors reduced their funding significantly because the government did not cut down the defence budget to levels not exceeding 2.2% of GDP. Hence, Museveni used the defence reforms to manoeuvre the aid cuts. The rekindling of defence reforms in 2001 was a strategy to win the 2001 presidential elections, which pitted President Museveni against Dr Kiiza Besigye. The pledge to transform the army was perceived to buy Museveni domestic support. The reality was that Museveni had an incredible reputation for taming the once brutal army. Hence, people would believe in transforming the military to avoid a relapse into the past. All these reasons provided a basis for Uganda's UDRP in the early 2000s.

The UDRP reform process

The UDRP had a road map for enhancing capabilities as per the core principles of SSR reforms. These principles include people-centeredness, the primacy of the rule of law, democratic accountability and civilian oversight, operational efficiency and effectiveness, and civil society engagement (Hendrickson and Karkoszka 2001). The DFID first sponsored a seminar to generate a draft proposal. According to ROU (2016), the UK defence advisor in Kampala prepared a risk analysis focusing on security issues that formed a precursor to UDRP before giving financial assistance to the government to implement the UDRP. UDRP was to be implemented by a Defense Reform Unit (DFU). The review involved consultations with ministries of defence, internal affairs, finance, judiciary, the parliament, academia, civil society and other stakeholders. The consultation process was supposed to involve a comprehensive assessment of Uganda's security environment, review security policies, cost the defence needs and develop a strategic plan for the army's reform.

The review was built on earlier studies, including the Logistics and Accounting Reform Project (LARP) and Uganda Defense Efficiency Study (UDES) funded by the World Bank and DFID. Both were to facilitate sound financial management and efficiency in Uganda's Ministry of Defense (MoD) (Sedra 2010b). The two studies were driven primarily by donor concerns about Uganda's high levels of military expenditure. Recommendations were primarily technical given the sensitivity of military reform, and were mainly on maximizing the efficiency of defence spending and identifying economies in resource use (ROU 2016).

The review process was threefold. The first phase entailed a comprehensive assessment of the nature of the country's security threats, reviewing the existing security policies, costing of defence needs and developing a strategic plan for transforming the security sector. The second phase involved implementing sound management principles by the defence sector. This included strengthening personnel management systems, budget and audit functions, logistics procedures and procurement functions. The third phase aimed to professionalize the army to get core competency in fighting capability, infrastructure and resources necessary to accomplish its constitutional mandate. This was supposed to be achieved with donor support. The review exercise estimated defence reforms to cost Shs 5.4 trillion (ROU 2016, p. 23).

The review process led to the formulation of a defence policy approved in 2003. The UK funded this review and white paper under the African–Conflict Prevention Pool (ACPP) and Security Sector Development and Advisory Team (SSDAT) projects (ROU 2004, p. 13). The defence policy framework provided the basis for the reforms that included identifying the army's mission, and strategies to address common military and non-military threats in national security. The other task included the drawing of the Security Sector Development Plan (SSDP) 2015/16–2019/20 aligned to Uganda's national development goals and Vision 2040.

The key question is whether these reforms promoted wide consultations and constituted a democratic process envisaged by donors. If not, why did donors go-ahead to support the

reform process? The donors had wished for a transparent, inclusive, broad definition and rigorous debate of the security sector to generate national consensus, which was essential for national stability and policy sustainability. Accordingly, it would have been necessary to engage all the major political stakeholders drawn from the military, executive, opposition, judiciary, academia, traditional leaders, the clergy, civil society and the mass media. Also, public hearing sessions should have been organized countrywide to receive inputs. Put differently, a more transparent and honest process, as was the case with South Africa's post-apartheid defence reforms, would have had more legitimacy and stand chances of achieving national consensus key to national stability.

However, this did not happen due to military reforms' perceived political sensitivity and the government's fear that a hurried process to separate the army from the ruling party could jeopardize political stability. Again, the political leadership may have been suspicious of donor motives and feared that the process could give an edge to the opposition forces. Consequently, a wide-ranging engagement and public debate were not allowed. Instead, the government opted for an internal government debate involving a few participants hand-picked from civilian policy sectors, namely, the ministry of finance, internal affairs, the auditor-general, parliament, Makerere University, civil society and the mass media. Indeed, the restricted participation limited the scope of debate to mainly the technical aspects but left out the more important political issues, primarily political neutrality of the military and foreign deployment. It is most likely that the donors' concession to limited participation and the narrow scope of the debate was a trade-off for the government's ownership and support of the reforms. In any case, the fact that donors made the government accept a few public members to debate security issues that used to be a no-go area for the civilians was in itself a tremendous achievement. Perhaps, the donors pragmatically believed that an incremental process would eventually pave the way for widening the security review debate in the future. The next section analyses the extent to which the UDRP objectives have been implemented after 16 years.

Policy implications: the gains and challenges of UDRP reforms

Though it may be premature to evaluate the defence reforms given that they are supposed to be a long-term and expensive undertaking, 16 years is long enough to allow some critical assessment of whether the process is promising, stalling or reversing. I argue that much of the success of these reforms have been in areas related to institutionalization. These include enacting relevant laws and implementing sound management principles, mainly drawing the strategic security plan, computerizing personnel management systems and integrating personnel payroll system. However, progress in other areas still faces constraints. The implementation success of defence reforms was greatly facilitated by a combination of political will and donor flexibility in enabling local ownership and making concessions contrary to many other PSRs implemented since the 1990s. Some objectives like re-organized, lean, affordable, well-equipped, sound management practices, civilian control and oversight, and good civil-military relations have been relatively achieved, as elaborated below. The UPDF Act, 2005, streamlined and harmonized UPDF activities with other security agencies for peace and stability. The army was also restructured from a single force to a three-service force of the infantry, air force and reserve force under the central command and control of UPDF.

Furthermore, there has been a concerted effort to create a literate, non-sectarian, disciplined, professional and pro-people army. One of the new criteria for joining the military is meritocracy. An ordinary education certificate is a requirement for non-commissioned

recruits, while officer cadets must have a university degree from a recognized university. Greater emphasis is on discipline before and after recruitment. All prospective recruits must get a recommendation letter from their home local leaders attesting to their good character or be rejected. Indiscipline is highly penalized. Besides, recruitment is based on regional quarters to ensure fair ethnic representation and balance (Nsibambi 2014, p. 223). Other measures to eradicate sectarian tendencies have included removing one's ethnicity on official forms and banning religious institutions from the barracks.

Also, in professionalizing the army, there has been intensive training locally, regionally and abroad. The government has promoted good civil-military relations by creating a political commissar's department and vibrant public relations offices regionally and centrally. These offices continuously raise soldiers' awareness about respect for civilians, human rights and ensuring a harmonious relationship between civilians and the military. Essentially, these reforms have facilitated the welfare of soldiers. These include the gradual increase in salaries, decent accommodation, education for their children and health facilities. Also, through the army shop, soldiers access subsidized construction materials, and they can make savings and access cheap credit through Wazalendo Savings and Credit Cooperative Organization (SACCO). The Army SACCO is estimated to have an accumulated capital base of Ug. 75 billion. A new department for veteran affairs specifically caters for the welfare of retiring soldiers and veterans.

The reforms also ushered in sound management practices hitherto absent. For the first time, the defence ministry has designed an SSDP that identifies the prevailing and future national security threats and needs and addresses them. Similarly, measures, such as computerized Information Resource Management System (IRMS) and Integrated Personnel Payroll System (IPPS), were introduced to eradicate waste and corruption. Through these initiatives, soldiers receive timely wages through banks and eliminate 'ghost' soldiers on the payroll, delayed and missing salaries. The term 'ghost' soldiers refers to the previous practice where corrupt army paymasters inflated the number of soldiers on the payroll by creating fictitious names, and retained names of the deceased and those who retired. The streamlining of the army payroll and timely payments was particularly a great source of motivation to soldiers.

The UPDF has also witnessed the introduction of sound financial practices in its systems, constantly subjected to monitoring and supervision by civil oversight institutions. The army management is now under civil management in the Ministry of Defense and Veteran Affairs (MDVA). Its budget estimates, procurement and expenditure, are scrutinized by civilian oversight institutions, namely, the Ministry of Finance, Planning and Economic Development (MoFPED); the Parliament; Auditor General; and Public Procurement and Disposal of Assets (PPDA). These have enhanced accountability, efficiency and value for money.

Creating an army that can defend the country has been achieved to some extent. The UPDF has effectively enforced peace and stability both domestically and regionally. For example, UPDF has defeated numerous armed insurgencies such as LRA and ADF in the highly volatile Great Lakes region. It has also actively engaged in regional peacekeeping missions like the UN Mission in Liberia and AMISOM in Somalia. These are not mean achievements for the UPDF, which has evolved from a ragtag guerrilla force dominated by semi-illiterate soldiers.

Nevertheless, the defence reforms did not tackle some of the fundamental issues crucial to democracy and sustainable peace and stability in Uganda. Key among these was the relationship between the regime and national security. Whereas this sensitive issue should have been subjected to comprehensive consultation and debate, the defence review process ignored it. Donors, too, considered it as a trade-off. Consequently, the army institution is fused with the

regime. There are often allegations that the regime has personalized and used it to subvert democracy and cling to power (Anderson and Fisher 2016, p. 67). Similar concerns have persisted over the continued presence of army representatives in parliament and military use during elections. The fusion of the regime and national security has compounded the population's historical fear and distrust of security forces. In short, the defence reforms did not succeed in making the security forces politically neutral and loyal to any elected civilian leader.

Moreover, despite the reforms, transparency remains elusive. The secretive culture continues to reign in the army with classified expenditures, which escapes the scrutiny of the oversight agencies, consequently promoting financial abuse and corrupt practices. Weak parliamentary oversight due to the ruling party's dominance also exacerbates secretive culture in defence. Twebaze (2018) asserts that parliamentary oversight committees, like the Public Accounts Committee (PAC), have been weakened by using government inducements of cash, cabinet positions and intimidation. He further observes that members of the ruling party who sit on PAC function more as cadres of the party rather than as people's representative. This practice undermines their oversight role.

The defence reforms have also failed to reduce the high-security expenditure. Though budgetary standards exist, they are not strictly followed, given the frequency of supplementary defence budgets (Anderson and Fisher 2016, p. 70). Other accountability flaws include creative accounting, where monies meant for defence are disguised as expenditure for different activities or smuggled through other ministries to escape donor scrutiny (Ball 2001, p. 57). Civil society is also unlikely to play an oversight role as envisaged by the reforms due to the severe restrictions on its activities by the NGO Act of 2016. The government suspects them to be surrogates of foreign interests. Finally, the reforms have been underfunded. The estimated cost of implementing the defence reforms was Shs 5.4 trillion, which is very expensive for Uganda. Yet, the annual defence expenditure averages 2.2%, which is very low compared to most East African countries except for Tanzania's 0.2% (ROU 2016). Nonetheless, donors who often advocate for SSR only give short-term funding (Wulf 2004). Sedra (2010a, p. 16) validates this by arguing that donors lack the resolve to implement the ambitious SSR model and instead prefer the train and equip mentality. The next section looks at the nature of public service reforms implemented and why they stagnated compared to the defence reform.

Case 2: The public service reforms

Like the defence reforms, the public service reforms were part of the ambitious PSRs of the 1990s. The new policy agenda promoted neo-liberal interests through good governance and managerialism. Although donors claimed that PSR aimed to make governments efficient and effective, critics contend that the reforms could cut public expenditure and make savings to service donor debts (Omoyefa 2008). Uganda adopted these reforms despite the donor interests because of serious capacity and performance deficiencies due to the two decades of crisis. Also, foreign assistance was conditional to the implementation of the reforms. Nonetheless, both donors and the NRM's leadership shared the view that Uganda's public service needed reforms.

Uganda's public service was considered among the best in sub-Saharan Africa in the 1960s (Therkildsen 2014, p. 116). However, by 1986 the public service had seriously declined. It was bloated, unprofessional, demoralized, inefficient and ineffective (ROU 1990; Langseth 1995). Donor-driven reforms pursued smaller, efficient, effective, accountable, disciplined

and better paid public servants (Langseth 1995, p. 365). The reform process began with setting up the Public Service Review and Reorganization Commission (PSRRC) in 1989.

PSRRC was to diagnose and make recommendations for reform. Key recommendations included downsizing, decentralization, human resource capacity building and institutional reform (ROU 1990). The Commission's report formed the basis for creating the Public Service Reform Programme (PSRP) in 1990. The process of implementing these reforms went through four phases (ROU 2012). First-generation reforms (1991–96) involved restructuring and downsizing. Second-generation reforms (1997–2002) focused on Result-Oriented Management (ROM) and salary enhancement. Third-generation reform (2005–11) centred on improving the institutional environment and sound management principles with an emphasis on results. Fourth-generation reforms (2011–to date) hinged on three aims: enhancing infrastructure through automation of government processes, improving human capacity and performance of human resource and empowering citizens to demand services and accountability through citizen charters.

Nevertheless, the last three phases of reform did not have different objectives from the first-generation reforms. Instead, they merely renewed the original PSRRP – to rekindle the stagnated reform implementation momentum. The renewal of the reform process involved more donor funding. For instance, the second generation of reforms was renewed with US\$100 million Institutional Capacity Building Project (ICPB) funding, while the third-generation reforms under Uganda Public Service Performance Enhancement Project (UPSPEP) cost donors an additional US\$86.57 million.

Policy implications: reasons for the dismal performance of PSRRC reforms

There is broad consensus in the literature that implementing Uganda's public service reforms has been slow and disappointing (IMF 1997). Many objectives of the PSRs have either been partially implemented or even abandoned altogether. The early stages of implementation of PSRs (1990–96) witnessed commitment on the part of the NRM leadership as exemplified by the restructuring of government through decentralization, agencification and downsizing. Decentralization was initially rated as a success story in Africa, but the period mid-1990s saw gradual reversal of the gains. Likewise, public service reforms first registered success given the reduction in civil service employees and ministries from 320,000 to 160,000 and 38 to 21, respectively, but started to wane after 1996. The recruitment freeze was lifted in 1998. The public service numbers expanded to 218,000 in 2004 and the current 320,073 (ROU 2020, p. VII). Also, the number of districts has since increased from 33 in 1993 to the current 146. The number of ministries, ministers and other political appointees exponentially increased.

The quest for professional, motivated, committed and accountable public servants has been elusive due to inadequate political commitment, leading to the privatization of Uganda's institutions for the professional training of civil servants. Consequently, Uganda's civil servants who need further training do in foreign and local universities that offer general training not tailored to the professional needs of the public service and often on self-sponsorship. The civil service college created recently is limping due to inadequate funding, among other weaknesses. This training gap explains why many Uganda's senior civil servants lack professional and policy skills despite having higher degrees, and hence, the rampant implementation flaws of programmes, poor service delivery, mismanagement and wastage.

Reforms have also been unable to motivate civil servants because of insufficient salaries and poor facilitation of their work environment. In contravention of the well-known principle of work motivation central to public sector performance, the government's promise to

give public servants a living wage has never materialized (Therkildsen 2010, p. 5). Instead, the government uses the 'divide and rule' and discriminatory remuneration to some public service sections leading to massive pay asymmetries. The Ugandan public service has enclaves of highly paid employees, while the remaining majority is paid peanuts.

In addition, the statutory agencies do not have stringent rules, which give the President discretionary powers to influence the appointment of loyal cadres, friends and political supporters to position in these agencies and subsequently reward them generously (Mwenda and Tangri 2005). Conversely, the ruling elite has always distrusted the traditional public service employees accusing them of disloyalty, unpatriotism and sabotage of government programmes. Robinson (2007, p. 457) attributes this to the fact that the career civil servants were inherited from the previous regimes. The NRM leadership suspects them to constitute a potential intra-government opposition force that needs to be weeded out. Again, Robinson (2007, p. 459) rightly observes that the luck-lustre implementation of pay reforms has demoralized public servants, fuelled resentment, undermined morale and provided a stimulus for corruption. These have led to poor service delivery and high levels of corruption in the public sector (Muhumuza 2016). Hence, the prime reform objectives of efficiency and effectiveness and human resource capacity building are yet to be accomplished, and the public service is yet to be reformed.

The intriguing question is why the initial political support given to the PSRRP reforms withered away. However, various factors explain the loss of public service reform momentum in Uganda. These are majorly political and financial challenges. On economic challenges, the donors' push for extensive reforms in developing countries and then shying away from fully supporting their implementation with financial assistance is one reason why developing countries backtracked or abandoned reforms. In PSRRC, donors gave adequate support to reforms until the mid-1990s before retreating. Gaining an excuse from the NRM's backtracking on democratization and good governance agenda, donors reduced funding. Also, they are re-known for short-term financing of reform initiatives that require substantial long-term financing. Uganda's implementation of the PSRRC experienced this.

Nevertheless, the primary explanation for Uganda's reduced support of PSRRC reforms lies in pork-barrel politics. Like leaders elsewhere in Africa, the NRM leadership would be committed to those policy initiatives that enhance its power base. In the African political context, reforms that would dismantle the neo-patrimonial arrangements of power could hardly survive. This logic may also explain why reforms have stagnated or have been reversed. Also, Uganda's big government is the consequence of this logic. President Museveni has created many districts and pays well the huge political establishment, including Parliamentarians and has politicized the career civil service to enhance his political support.

Similarly, Museveni's government has not been committed to policy reforms to enforce transparency and public accountability. If such reforms succeeded, they would have seriously eroded the mechanisms of neo-patrimonialism and subsequently weakened his power. Like elsewhere in Africa, the NRM regime thrives in political and governance disorder as an instrument for regime survival (Chabal and Daloz 1999). Therefore, the NRM's actions should not be mistaken for political will and commitment to reforms but a pragmatic calculation to access donor funding and manipulate such support to strengthen its hold on power.

Conclusion

What do we learn from these two reform processes presented above? First, donor-driven reforms need to ensure that PSRs are tailored to the local political context. Donors need to

understand that reforms that do not strengthen political leaders' position but rather undermine their power and influence stand no chance of success (see Robinson 2007, p. 471). Second, for there to be a political commitment, the recipient government needs to be given local ownership of the reforms instead of the usual donor approach that impose their ideological interests. Therefore, donors' role should be limited to facilitating the process. It is high time to discard the 'one-size-fits-all' approach because it is a contextual misfit.

Furthermore, the reforms need not be overly many and ambitious for countries that already experience institutional and managerial incapacities. Uganda provides an excellent example of a congested PSR agenda. PSRs included privatization, constitutional, civil service, decentralization, anti-corruption, democratization and defence reforms. Such a galaxy of reforms with different requirements and targets implemented simultaneously exhausts the little capacity available and leads to reform fatigue. Therefore, *donors need to facilitate one reform process at a time, track the results and learn from the process before they embark on a new reform process.*

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PUBLIC POLICY IN CAMEROON

State-building programs under the influence

Alphonse Bernard Amougou Mbarga

Introduction

The economic crisis of the 1990s completely transformed Cameroon's economic policy framework (Mbu 2014). Marked by the deterioration in trade, this crisis highlighted the active role of the international policy actors, mainly the World Bank and the International Monetary Fund (IMF), within the design of a rent economy for the implementation of Structural Adjustment Programmes (SAPs) (Noorbakhsh and Paloni 2001; Harrison 2004). These programs sought to privatize, deregulate and reduce trade barriers so that the government could achieve macro stability and introduce markets and market prices as an essential prerequisite for sustained economic growth. Cameroon, like many African economies, undertook significant fiscal and monetary reforms during this period. Before and in the years of independence, the economies of African countries were oriented towards the commercialization of raw commodities, with the structure of production, institutions, infrastructure and logistics systems all focused on exports. Therefore, policy experiences in Cameroon were hardly unique from failures, including attendant developmental trends that followed the disastrous implementation of SAPs in Africa from the 1980s.

Indeed, Cameroon, like most African countries, embarked on the Poverty Reduction Strategy Programmes (PRSP) from April 2003 to 2008 (as a result of reaching the HIPC initiative) before drafting comprehensive development plans that signalled the government's effort to embark on "the path of emergence" (IDEV 2015). At the helm of these reforms have been the dominant role of the political leadership in designing and implementing policy programs. However, by their design and default, long-term development plans or the Cameroonian Vision 2035 predisposes the government to engage in consultative actions besides engaging in bottom-up public policy processes for effective implementation (Cameroon Vision 2035).

To achieve Vision 2035, the government developed the Growth and Employment Strategy Paper (GESP) 2010–20. GESP was replaced with another ten-year development strategy: the National Development Strategy (NDS) 2020–30 as a policy framework to significantly transform the Cameroonian economy. Unlike SAPs and GESP, NDS demonstrated some levels of endogeneity of policy development in Cameroon despite the salient influences of external forces. Yet, these external influences may further illustrate the multi-actor components of the policy processes often at stake in policymaking at all levels.

In this chapter, public policy is how a government maintains order and addresses the needs of its citizens. The impact of these policies is also the result of sometimes divergent interests that are at stake (Cabane and Tantchou 2016). Of importance is that understanding the development prospects and the public policy that results from them underscores the dimensions of political decisions. Paraphrasing Harold Lasswell (1936), this comes down to the question of who does what, when and how. Indeed, public policies are client relationship choices in light of strategies adopted by policy actors and are, above all, decisions of political authorities that address matters of common interest (Cochran and Malone 2005). That is, choices made fall within the expectations and imputations that these decisions have for the actors according to their position in the decision-making process (Delville and Ayimpam 2018). In the effective state-building policy, context, partisan attitude, knowledge-sharing, incomes availability, lobbying efforts or evidence are considered. Thus, as acts of responsibility, public policies are merely political decisions because they rely on the issues that underpin these decisions. For conceptual clarity, I note that the French and francophone literature distinguish between public policy and public action to demonstrate the plurality of actors in policies. This literature always refers to plural: public policies than singular public policy. The plural testifies different domains of state interventions. This distinction, however, is not relevant in Anglo-Saxon and Anglophone literature, but, Cameroon being a bilingual country (English, French), I will invariably use and assume both concepts in this chapter.

From a discursive and pragmatic approach to public action, this chapter highlights the various influences that make it possible to understand the formulation and construction of public policy in Cameroon. It is organized as follows: the next section presents the discursive and pragmatic approach in public policy, followed by an overview of the history of state-building in Cameroon, the presidential influence in the state-making process, the role of donors in public policy processes in Cameroon and eventually the influence of socio-political crisis and the conclusion.

Addressing influence: the discursive and pragmatic approach to public policy

Understanding public policies moves away from the “textbook approach” of sequential analysis (see *Chapter 4*). Far from thinking that “the stages heuristic has outlived its usefulness and needs to be replaced with better theoretical framework” (Sabatier 1999, p. 7), policy study should be understood through a pluralistic approach (Olugbenga 2017). Pragmatism calls for the evaluation of stakes, issues and beliefs regarding the success of their practical application. Besides, political rules of the game, protests, the international arena and other situations play a critical role in public policy. Policymaking entails the outcomes and imprints of policymakers. The historical context is a determining element of public action. Thus, the political history of Cameroon with its actors, its institutional challenges and its socio-economic realities provides insight into the influences that underpin public policies.

Policy pragmatism possesses ethical aspects with the initial goals of serving the public need. The role of actors and issues that govern public action in a cognitive and affective dimension is emphasised to understand the political decision and see the state in concrete terms (Zittoun 2014, p. 13). In fact, “this paradigm in various ways pays particular attention to the subjectivity of actors; the forms of knowledge these actors assemble; and, in particular, the multiple interpretations they deploy to create meaning” (Durnova et al. 2016, p. 35). Looking at the actors, the sectors at stake and the strategic setup, this influence is sometimes based on the ruling party’s mandate. The executive, non-governmental/international actors

and various internal socio-political crises and regime interests are also critical. Thus, it is a question of focusing on concrete situations during which the actors produce statements of solutions to understand the context of how they emerge and with what intention, and follow the course of the evolutions (Zittoun 2017).

The axiological frame of reference indicates that actors' decisions are determined by the institutional realities they are confronted with. Language is thought of as action and as the production of action, words being worth as much if not more than acts. The actors' motivation, the stakes, the moments and the conditions of production of their actions are essential to understanding public needs' fulfilment. From their formulation to their application, public policies are subject to multiple political exchanges to integrate contradictory expectations and logic into resolving public problems. In different political contexts, public policies also express the elementary social mechanisms of conflict and domination (Giraud and Warin 2008, p. 4). The decisions taken by the government of Cameroon and its development partners are then results of critical circumstances that can be understood within this framework.

Shaping Cameroonian state-building: a historical overview

Cameroon has known two heads of state since it acceded to international sovereignty on January 1, 1960. At independence, the task was to establish the authority of a modern state, achieve the country's unity and mobilize all layers of the population favouring development. President Ahidjo's planned liberalism and self-centred development policy encouraged private investment and addressed direct foreign investment, with the government playing a substantial role in guiding development. Economic development was built around five-year plans. Inspired by the FIDES plan (1945–53) of colonial France (Bouchart 1956), Cameroon's first five-year plan (1960–65) was essentially pursued infrastructural policy and the promotion of agriculture. The second plan (1966–71) sets itself the ambition of the electricity sector, rural opening up, railways, the increase in the volume of export crops (cocoa, coffee, cotton) and wood, the establishment of the food industry to combat rural exodus. This very ambitious plan (with the creation of SNI (*Société Nationale des Investissements*) in 1964, the secular arm of the state in its industrial policy) experienced many difficulties. Its programs were taken over by the third plan (1972–76), which itself suffered the throes of the crisis linked to the oil shock of 1973.

The fourth plan (1976–81) wanted to base Cameroon's development on its own forces, primarily as oil revenues were used to increase farmers' prices, pay for imports of materials and technology and build financial reserves (Willame 1985). The industrializing industries' model put in place will turn out to be the producer of white elephants. The fifth plan (1981–86) that coincided with the transition at the state's office bore no practical outcomes; the Cameroonian economy would after that be marked by the crisis that led the country into the SAPs.

Gaining power on November 6, 1982, following the resignation of President Ahmadou Ahidjo, Paul Biya has always been re-elected, despite the return to multiparty politics in the 1990s. In 2008, he revised the constitution removing the presidential term limit before establishing his legitimacy in 1987 by publishing a book *Communal Liberalism*. The publication stands as a reference and a guide to his New Deal policy.¹ Between arbitrages and strategies, the influence of Paul Biya on political decision-making in Cameroon builds and decides the steering of public policy priorities. The strategy to control the political order is multiplied tenfold in a pragmatic vision of economic and social policies by reassuring partnerships. From the privatization process to economic partnership agreements (EPAs) with the European Union, Cameroon has chosen to diversify. In 1991, the State ceded CAMTEL Mobile to the

South African company MTN simultaneously as the government bought fighter planes. It sold a mobile telephony license to MOBILIS, which became Orange Cameroon; the railways were transferred to the French company BOLLORÉ, the American company AES took over SONEL (National Electric Company). In the 2000s, this openness is reflected in the partnership with the Vietnamese NEXTTEL and the Nigerian DANGOTE. Although rejected by its powerful economic neighbour Nigeria and its partners in the CEMAC Zone, the EPAs with the European Union were signed by Cameroon in 2014.

Presidential influence in the state-making process

The meaning and implementation of policy concepts show that policymaking is inherently political. Policymakers own values, experiences and expertise play an important role, and their attitude reflects the decisions taken within these frameworks. Thus, President Biya's motto's declination during the last three presidential elections informed policymaking. In 2004, it was "Great ambitions", then "Great achievements" in 2011 and "Great opportunities" in 2018². Therefore, the political choices setting Cameroonian paths to "emergence" testify to the presidential control in the construction of public action (Amougou 2016).

Indeed,

the Growth and Employment Strategy Paper (GESP) also reaffirms the will of the Government to pursue the achievement of the Millennium Development Goals (MDGs) as a whole. As part of a dynamic and open process, the government developed GESP, with the full participation of grassroots populations, civil society, the private sector and development partners.

(Cameroon Vision 2035, p. 1)

For Paul Biya, elaborating such a paper provided the opportunity for a comprehensive review of all actions and strategies and the modernization of public administration. In formulating the GESP, the choice of his methodology determined authorities to implement the Paris Declaration principles on the effectiveness of development assistance (Cameroon GESP 2009).

In addition, the NDS may be harmonized with the economic program with the IMF and pursue reforms initiated for the sustainability of public finances. An economic and social recovery plan should also be elaborated for crisis-affected regions. For the government, the NDS for 2030 should improve the living conditions of the populations and their access to basic social services by ensuring a significant reduction in poverty and underemployment. By casting a wide net, the executive gives directions on the acceleration of growth, formal job creation and poverty reduction.

The stance of actors and the resources at their disposal determine the choices made in public policies. Moreover, when an actor is part of the central decision-making circle, his hold over public action is even more decisive (Laffont 2001; Martin 2016, p. 7). The political decision is never neutral because it derives from the operational frameworks available to the decision-maker. The position of the decision-maker is an important strategic element to understand the decision (Dodds 2013, p. 23). Beyond slogans, governance in Cameroon suggests a political life around and in the person of the president who determines and orients public action.

The president is not only a decision-maker or the head of state, he is also the master chief of public policy. State policies in Cameroon appear to be the president's will and interest. Public policies rely and take place on the president's attitude (Mattei 2009). Article 11 of the

Cameroonian constitution makes the prime minister the head of government and accountable to parliament, while the president defines the national policy. An institutional arrangement confirms the political irresponsibility of the head of state elected by direct universal suffrage.

However, public policy in Cameroon often ignores elements of executive policymaking, thereby leading to an understanding that errors and failures of policies are not attributed to the president's actions but to an international economic situation or an entourage and managers unable to understand its vision (Pigeaud 2011, p. 108). Besides appointing top-ranking officers within the administration and exercising the regulatory-making power that the constitution recognizes to the president, Paul Biya is absent from the daily governance. Moreover, this model makes it possible to interrogate the politicization of public administration and the neo-patrimonial structure of institutional governance in Cameroon. It mainly implies that President Biya hold onto key policymaking institutions, thereby personalizing power over the years.

Constant political situations and discourses strengthen the image of the president and guide public action. These are evident in the systematic reference to the president by his cabinet in speeches, interviews or decisions (“on very high instructions”), like “the magnanimity of the President of the Republic”, “the father of the nation”. Additionally, there is increased recruitment into the civil service and several administrative slots despite injunctions from the World Bank to limit civil servants' payroll. In 2011, the president ordained the recruitment of 25,000 young people in public administration, and as 2019, a massive program to recruit in three years, 2000 lecturers in state universities. In the crisis years, schooling became a refuge for young Cameroonians, many of whom were jobless PhD degree holders. Likewise, at the height of the Covid-19 pandemic in March 2020, the President, by a personal initiative, through an ordinance, reformed the budget of Cameroon, which is usually the subject of negotiations with the international donors.

Donors at the forefront of public policy in Cameroon

The influence of external actors in public policy in Cameroon has often been demonstrated by SAPs (Morrissey 1992). A closer look at the relations between Cameroon and the Bretton Wood institutions reveals the extraversion of economic exchanges. The adoption of SAPs in Cameroon was based on three essential components: the restructuring and privatization of state-owned companies, public expenditure management and administration reform (Amougou 2014). To ensure the feasibility of SAPs, the Bretton Wood Institutions required the government to appoint executives from their own reference system to set their policy agenda. It is true that “there is an important role for the IMF in helping to solve information, commitment, and coordination problems with significant implications for the stability of national economies and the international monetary and financial system” (Eichengreen and Woods 2015, p. 29).

Still, the reality of the adjustment years was very hard on the population (Courade 1994). Barber (2001, p. 306) observes that

Public relations aside, the World Bank, for example, is less concerned to create a sustainable environment or forge sustainable national economies in the debtor nations it services than to assure an open (though by no means level) playing field for international business.

This influence through finance finds a favourable ground as long as the Cameroonian economy is based on the profits drawn from raw materials, hence remains completely disjointed. Indeed, the Cameroonian state has never included industrial, commercial and market productivity in the functioning of companies. The state has always contented itself with subsidizing public and parastatal enterprises at arm's length (Tedga 1990). Thus, this is precisely the end of a model that characterizes the new relationship between the government and the Bretton Wood Institutions. Singularly, the latter devise ways to control public finances and hence public policy. There is no "structuring project" that has not been approved by the World Bank or Cameroon's other development partners before any implementation.

Above all, the World Bank and IMF's partnership strategy with Cameroon focus on increasing competitiveness and improving service delivery. Cameroon's structural reforms should increase investment efficiency, reduce public enterprises' contingent liabilities and support private sector development. This should support the growth outlook going forward. By making loans directly to the private sector and providing trusted sources of information that give the private sector the ability to assess risk, the World Bank's ability to develop and disseminate knowledge underpins its ability to fulfil these roles (Ravallion 2016, p. 80).

The realities of the relationship between the Cameroonian public authorities and the International Financial Institutions (IFIs) are reflected in their frequent visits (an average of one visit per quarter) to Cameroon to ensure the feasibility of the programs decided. The GESP that sets the vision for the emergence of Cameroon' was designed, discussed and approved by Cameroon's financial partners. The subsequent NDS is, therefore, not an exception. The scarcity of income made Cameroon commit to working with the IFIs even if this implies putting aside an endogenous capacity-building of the political decision. This dependence goes beyond the public policy network to the extent that the rules-of-the game relating to this exchange is not necessarily fair but useful. The stakes constraining actors and the balance of power are reassessed in the light of the mobilization of resources (Delville 2017).

This attitude makes it possible to see the ability of actors to adjust according to the issues and the resources they have in directing political decision-making. This was revealed in the projects like the Mora-Dabanga-Kousseri road in the Far North and the construction of the Natchigal hydroelectric dam on the Sanaga River. In October 2016, the World Bank approved that the Mora-Dabanga-Kousseri road project be entrusted to the Cameroonian military engineers. This was the first time in Africa that a project of this magnitude was entrusted to a regular army. Similarly, in November 2018, the construction of the Natchigal hydroelectric dam, through guarantees from the World Bank, created an image of a public-private partnership in which Cameroonian commercial banks are involved.

The IFIs' influence on public policymaking in Cameroon implies that it would be superfluous to think of public action outside the asymmetrical realities of power relations (de Graaf et al. 2020). Indeed, although China's hold on African economies is becoming more pressing with loans that disregard any political conditionality and norms undergirding human rights, the IFIs' control of public policies in Cameroon remains evident (Tamekou 2018). Thus, it is impossible to separate the external environmental factors, as they invariably influence the political processes and policy outcomes in countries like Cameroon. Within the EPAs signed in 2014, Cameroon has easy access to European markets, testifying how European countries influence African countries to enhance their own market.

In Berthelot's (2016, p. 2) analysis, this "way of thinking is absurd as that of a poultry producer to open the henhouse gate to allow the fox to test the poultry resistance capacity". In August 2020, the Cameroonian government suspended the dismantling of the fifth phase of the agreement until the end of 2020, citing serious risks to the local economy with possible

social upheaval and calling for Article 57, 1969 Vienna Convention on international treaties. The action was further informed by Article 31 of the EPAs Statutes, which states that the country is free to suspend EPA operations while facing exogenous shocks. Cameroon is seeking to turn down the EPAs, as CEMAC countries are suspicious of the operation.

Socio-political crisis and their influences on policymaking

Cameroon has faced several crises since the return to multiparty politics in the 1990s. The political conditionality imposed on African states since the La Baule summit (Cumming 1996) has led to a review of the country's institutional arsenal. The socio-political changes and the chain of crises make it possible to locate the multiple interventions of the state. It demonstrates the various fields of public policies and highlights the adaptive capacities of the public authorities while facing social realities. Cameroon's NDS thus considers the political discourse relating to the management of the Anglophone crisis. The dispute had been simmering for decades until 2016, when teachers and lawyers protested against the use of French in schools and courts in Anglophone Cameroon. President Biya called for a significant national dialogue. His government-organized talks took place from September 30 to October 4, 2019, leading to the adoption of dozens of recommendations to restore peace. Consequently, the Minister of the Economy, Planning and Territorial Development was quoted to have stated that:

the appropriate implementation of the recommendations of the Major National Dialogue for the return of peace in the North-West and South-West Regions, with in particular the achievement of the special status of these two regions and the establishment of a Recovery, Reconstruction and Development Plan for the two Regions as well as for the Far-North.

(Cameroon Tribune 2019)

Thus, crises are critical in public choice. The GESP was created in a context marked by a drop in the prices of primary raw materials and security concerns in the Far-North Region (with attacks by the Boko Haram terrorist sect). The East Region was suffering from a massive influx of refugees because of the socio-political conflicts in the neighbouring Central African Republic (Cameroon GESP 2009). Moreover, crises appear as performative frameworks of public action (Boin et al. 2005, p. 43). Thus, social reality shows public action not as an imposition of meaning linked to political decision-making but as a permanent construction according to the historical changes that the balance of power in the field requires.

In this sense, crises oblige political decision-makers to consider the context and the meaning and words that the context imposes on the social situation. From this perspective, the Anglophone crisis leads to certain state intervention as the sensitivity of the context is abruptly revealed to the political decision-makers. This crisis also shows the inability of the public authorities to anticipate political decision. While it is true that public policies are what the government decides to do or not to do (Thomas Dye 1972, p. 2), the ability to anticipate political decisions allows a better appropriation of social reality. Acting under the influence can then lead to urgent decisions undertaken that testify to a form of institutional tinkering and do not justify political order.

A public problem is sometimes the result of an asymmetric complexity of attitudes that eventually emerge with a window of opportunity. Boko Haram in the Far-North, the Anglophone crisis or the frequent protests against the ruling order are born and feed on the

inability of political actors to anticipate social issues. Therefore, the observation of concrete practices makes it possible to show the strategic ingenuity of the actors to couple problems and solutions and how these couplings participate in a redefinition of the problem and the solution (Zittoun 2017). The *laissez-faire* strategy that governs public action in Cameroon highlights the approximate solutions placed on the agenda. Viewing the state in action helps to understand the predatory logic linked to political decision-making and political changes in a crisis.

The reorganization of the security system with the redefinition of the military sectors to face Boko Haram and the terrorists of the contested imaginary republic of Ambazonia in Northwest and Southwest regions, the implementation of reconstruction plans, the creation of economically stricken areas and above all, a political discourse focused on the culture of peace is crisis policy. Between pragmatism and symbolism, public policies can be understood through the staging of political decisions. With crises conducting the action, political actors instrumentalize societal issues but are overwhelmed by these same issues (see *Chapter 8*).

At the heart of the crisis management against the Islamic Boko Haram sect, the Cameroonian government has finally considered the under-education of the Far-North region. Indeed, it appeared that this sect was feeding on a poor population with a low level of education. Managing the fight against Boko Haram first comes down by building the basic conditions for development through the education of the masses and the schooling of children regularly used as suicide bombers. With the Anglophone crisis in 2016, the government finally implemented decentralization, which has been in the constitution since 1996. The first regional elections then convened on December 6, 2020. This crisis also led to the creation of “English law” departments in the state universities, commonly French-speaking and the creation of a special “Common law” section at ENAM (National School of Administration and Magistracy) and the establishment of a Commission for the Promotion of Bilingualism and Multiculturalism (see also *Chapter 21* for further discussions on multiculturalism in Cameroon).

Citizens have many options when deciding how to influence policy, and the choices they make can illuminate the nature of citizens’ engagement with the local policymaking process (Adams 2008, p. 133). Likewise, in large urban cities, the government has embarked on programs favouring youth to prevent socio-political unrest and even through a *laissez-faire* policy leading to the systemic production of an informal economy of misery. The productivity of these actions remains questionable, but the influence of social pressure on public action remains constant. The president was forced, in October 2020, to cancel a collecting method of taxes on mobile phones and electronic tablets directly charged to consumers (journaldu-Cameroun.com 19/10/2020). Thus, public action interrogates how public actors think about the future of society nourished by the crisis.

Conclusions and ways forward

The influence exerted on public policies makes it possible to grasp the decision-making schema that governs actors’ attitudes and socio-political circumstances (Hening and Badiane 2017). A public authority in public action is interwoven with the conditions to produce a public decision. Public policy cannot be summed up as a hasty decision, even though certain choices must be taken to serve an immediate interest. Indeed, the Cameroonian case shows that socio-political crises call for urgent responses and long-term actions (Okereke 2018). Donor strategy influences the direction of political decision. The public policy agenda takes into account the institutional arrangements that frame political order. Factual social circumstances also influence a political decision. First-rate decision-makers play a crucial role in

public policy, even though organizational theory teaches that decision-making is a process. The decision is always at the confluence of information's asymmetry and various imaginaries that determine the action time.

Overall, public policy hardly takes place in a vacuum but takes cues from a complex mix of internal or contextual environments and external forces. From institutional to social reforms, through security policies and the building of infrastructures, state interventions in Cameroon are bounded by the various crises that the country is experiencing. Nevertheless, as long as political leaders may want to hold onto power, as long as access to emerging markets and strategic resources will be economic issues, public policy will always be the frame of constraints and influences. Public policies are the basis of situations within a particular context, and politics remain a game of interests. For a better appropriation of policies, a great place should be given to local democracy, the current decentralization process in Cameroon serving as a starting point. Efficient integration of civil society organizations into policy networks, acceptance and adoption of evaluation and accountability processes and procedures should make public policies more effective. Moreover, this is the whole challenge that the actors must face in the Cameroonian State building.

Notes

- 1 The book was re-edited for his 2018 presidential campaign.
- 2 The presidential mandate is seven years term.

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THE POLITICS OF DECENTRALISATION

Policy reform design and implementation in Malawi

Asiyati Lorraine Chiweza

Introduction

Decentralisation has been an essential reform in many developing countries and a significant focus for support by development partners. Most international development agencies have, since the late 1990s, considered excessive centralisation in Africa as a serious impediment to development. Therefore, decentralisation was to facilitate citizen-centred development decisions (Manor 2008). Yet decentralisation record is mixed at best in realising many of the stated objectives of reform, enabling more efficient service delivery, advancing democratic reform, and promoting poverty reduction (Eaton et al. 2011, p. xi). Hussein (2013) notes that in many African countries, the outcomes of decentralisation and management reforms have been unsatisfactory. Since Malawi started implementing the 1998 decentralisation policy, its pace and content have been slow in administrative functional, fiscal, human resource devolution (Kutengule et al. 2015; Malawi Government 2016). Administrative functional decentralisation has somewhat advanced more than fiscal and human resource decentralisation. This has significantly affected the performance of local government authorities and their ability to achieve their constitutional mandates. While substantial attention has been devoted to defining the institutional and fiscal requirements for decentralisation objectives, much less consideration has been given to identifying the political and institutional incentives for policy implementation (Eaton et al. 2011). This chapter discusses the initial context and motivations for decentralisation reform, its key actors, and the incentives that have conditioned their reform design and implementation behaviour. The main trajectories of decentralisation reform in Malawi and the current stage of reform are also discussed.

The initial context and motivations for decentralisation policy reform in Malawi

Decentralisation in Malawi is part of an unfolding process that goes back to the country's history during the colonial period and Dr Banda's single authoritarian era. Decentralisation reform rose to the government's agenda as poverty alleviation took centre stage in international policy circles. Like the other African countries, decentralisation in Malawi was advocated by donors (Jagero et al. 2014, p. 315). Following the adverse effects of structural

adjustment programmes, the Bretton Woods institutions shifted towards stringent economic reforms, including putting poverty reduction onto the adjustment agenda (Mkandawire 2003). Conspicuously, in the late 1980s and early 1990s, bilateral and multilateral donors began to recognise the importance of human needs and governance (World Bank 1989). Mawhood (1993, p. 42) argues that although up to early 1992, decentralisation did not seem to be a loan condition for many African countries.

In Malawi, decentralisation was triggered by a World Bank Assessment Report of 1987/88, which concluded that eradicating poverty in Malawi could not be won without the direct involvement of people in the development process (Mbeye 2003). Further, a joint Government of Malawi and United Nations Situation Analysis of poverty was undertaken in the early 1990s. The question of an appropriate institutional framework for poverty alleviation arose. This examination called for a participatory process in which the government, civil society, and the private sector organised themselves to explore grassroots solutions to poverty (Government of Malawi 1993). In this context, the government, in principle, adopted decentralisation as an institutional objective and strategy for implementing the poverty alleviation efforts (Department of Local Government 2001).

Simultaneously, the government collaborated with the United Nations Capital Development Fund (UNCDF). The United Nations Development Programme (UNDP) started to pilot decentralisation policy reforms known as District Focus Policy for Rural Development. Inspired by the UNDCF local development approach, the policy was introduced in Malawi in 1993 under a UNCDF/UNDP-supported Development Management Programme housed in the District Administration Department of the Office President and Cabinet (OPC). Similar UNCDF pilots were implemented in other African and East Asian countries. These included Ethiopia, Guinea, Malawi, Rwanda, Senegal, Uganda, Mozambique, and Tanzania. The key instrument in UNCDF's decentralisation pilot support was the Local Development Fund (LDF). LDFs were demand-driven capital funding mechanisms designed to evolve into national systems to channel resources to sub-national levels by strengthening them. This was through local government management capacity building, establishing systems for bottom-up planning and strengthening national government commitments to decentralisation (UNCDF 1999).

UNCDF's local development funds and programmes provided capital investments in pilot programmes (policy experiments intended to influence national decentralisation policies). At the local level, the pilots sought to build government institutions and ordinary people's capacity to improve infrastructure and service delivery through genuinely participatory processes – so that local preferences influence decisions (Manor 2008). At higher levels (sometimes in collaboration with UNDP and donor agencies), UNCDF pilots persuaded leaders to pursue supportive policies towards local development processes and democratic decentralisation (Manor 2008). The primary strategy was to use evidence to improve the lives of deprived communities to persuade governments to replicate the pilots over wider areas and convince donors to provide funds to enable up-scaling and replication. Thus, UNCDF documented examples of 'best practices' emerging from pilots in specific localities and using these to influence and convince national policymakers to make policy changes.

The multi-party democracy in June 1994 accentuated the impetus towards decentralisation. A Cabinet Committee on Decentralisation was accordingly created. The Ministry of Local Government was requested in July 1994 to undertake a thorough review of decentralisation initiatives to develop an all-embracing decentralisation policy. Due to UNCDF/UNCDF involvement in prior decentralisation, piloting efforts were strategically placed to provide advice, material, and technical support for framing relevant legislation and policy.

This culminated in several UNDP/UNCDF-supported studies and extensive consultations designed to clarify substantive areas of the policy, particularly those related to policy options, financing arrangements, implementation, and institutional arrangements (Kutengule et al. 2004). These studies provided the foundation for a National Decentralisation Policy, officially approved by Cabinet in October 1998. It is important to note that UNCDF/UNDP coordinated its activities closely with central government agencies and bureaucratic elites with reformist ideas within the central government. These elites were later instrumental in pushing for this variant of decentralisation policy in the decision-making corridors.

Therefore, the quest for this nature of decentralisation cannot result from an evolutionary process from below that reflects people's urge to participate in development and governance. Instead, it is a reform process that followed a democratic transition but initiated from above by the government and the country's major donors to put in place democratic mechanisms through which people can participate in decision making. This contrasts with other well-known decentralised countries such as Brazil, India, the Philippines, South Africa, or Indonesia, where decentralisation is engineered and supported by reformist political parties, civil society, and labour movements (Eaton et al. 2011).

The main trajectories of decentralisation reform policy implementation in Malawi

NDP-1 Implementation (1998–2004)

The Decentralisation Policy of 1998 sought to devolve powers and functions of governance and development to elected local government councils. Decentralisation was to achieve three things: devolve administration and political authority to the district level; integrate governmental agencies at the district and local levels into one administrative unit through institutional integration, workforce absorption, composite budgeting; and fund decentralised services. Finally, divert the centre of implementation responsibilities and transfer these to the districts (Malawi Government 1998).

As designed in the policy, the system institutionalises the Council as a mixed type of Local Government authority at the district level. Each Council incorporates all the line ministry offices and departments represented at the district level and the former local government councils. Each council enlisted two organisational structures: political and administrative. The political structure comprises councillors who are directly elected to the Council to represent people in their wards, Members of Parliament (MPs), Chiefs, and five special interest groups from within the Local Government area. The political structure is the main decision-making and oversight body of the Local Government. The political structure is supported by an administrative structure commonly known as the Council Secretariat. The Secretariat is made up of appointed officials and is the implementation arm of the Council. It is headed by a District Commissioner (DC)/Chief Executive Officer (CEO) and is responsible for the day-to-day management of all operations and resources of the Council.

An Incremental Phased Approach or Gradualism (Carothers 2007) was adopted and planned in two phases. The first phase, called (NDP-I), was scheduled for 2001–04, and reviewed in 2004. The second phase (NDP-II) was planned for 2005–10 but later rolled to 2008–13 and reviewed in 2014. The actual components of the NDPs are illustrated in Figure 31.1.

The implementation of activities under these NDP blocks would achieve the goals of decentralisation. However, in practice, implementation has been unsystematic and slow. Since 1998, Malawi's democratic decentralisation trajectory has been highly varied and strongly

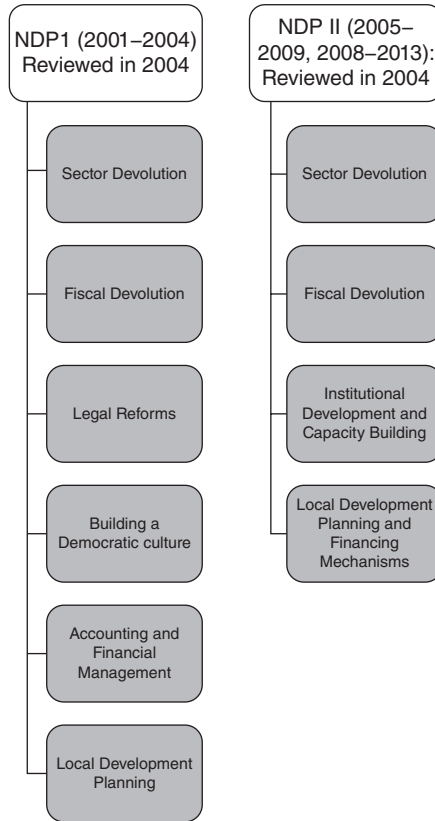


Figure 31.1 Decentralisation implementation strategy: 2001–13

Source: Compiled from NDP-I and NDP-II.mgds

intersects with the Malawian political economy (Resnick 2012). Thus, by 2004 overall, the implementation of NDP-I in Malawi resulted from a mixture of successes with many implementation failures (Kutengule et al. 2004). Gradualism, the official government policy for the implementation of decentralisation reforms, was circumscribed by various interests. Also, it featured bureaucratic resistance to devolve functions and resources to the district local governments, the multiplicity of uncoordinated donor projects, and the consistent unwillingness of political party leaders to open up spaces for competitive political pluralism at the local level.

Although the government defined a reform agenda and developed associated implementation plans, NDP-I and NDP-II, key activities were not adequately included in the budget. Thus, most of the NDP-I initiatives have been mainly implemented with donor support depending on donors’ priority funding areas. The major problem was that the process of negotiating to fund the various initiatives was not deliberately synchronised and harmonised to fully achieve particular elements of the decentralisation reforms in their totality. Instead, the funders had the leverage of selecting individual processes or activities but which in most cases did not lead to achieving the complete element of what decentralisation was meant to do. Having initiatives aimed at tackling all the multiple goals of decentralisation has been a huge challenge.

Some donors have supported the design and implementation of various decentralisation reform efforts. The most notable ones include UNDP/UNCDF, GIZ, KFW, Irish Aid, and ADB. UNDP/UNCDF supported the early phases of the reform, including designing and adopting the decentralisation policy following UNDCF pilots in various least developed countries. UNDP and UNCDF also supported the establishment of the Decentralisation Secretariat – the development of NDP-I and NDP-II, coordination mechanisms at the central government level, piloting out initiatives of district development planning, setting up of subdistrict planning structures and financing arrangements. Rolling out of these initiatives was also done in collaboration with the African Development Bank and NORAD.

By 2004, developing devolutions plans and devolution of functions by central ministries to local government councils had started. Still, there were indications that NDP-I donors were having difficulties harmonising their conditions and approaches towards decentralisation (Kutengule et al. 2004, p. 72). Only NORAD and SIDA were willing to contribute unconditionally to a government-controlled basket funding towards decentralisation. GIZ support was limited to specific functions like manuals and training programmes for government staff at various levels with specific management arrangements but not through government channels.

Others, such as UNCDF/UNDP, refused to contribute to the basket fund arrangement but continued to support the piloting and replication of LDP initiatives in 12 districts. The African Development Bank (ADB) was willing to support the replication process but only in six districts, where the ADB implemented a poverty reduction project. DFID supported pro-poor service delivery outside the decentralisation programme's mechanisms, primarily through sector-focused programmes, and the reporting arrangements differ. This has hugely contributed to the unsystematic nature of implementation, with many activities taking place but not fully addressing each of the three areas.

Over time, decentralisation efforts started to experience problems. A review of NDP-I of 2004 identified several challenges, which included

weak, poor and ineffective linkages between decentralization policy and other public policy reforms. Also, persistent power struggles and conflicts of roles between elected members such as Members of Parliament, Councillors and Traditional Authorities; weak institutional capacity; high turnover of key staff; ineffective citizens' participation; and inadequate financial resources among others.

The donors continued to support the implementation of selected issues, mainly alongside the donors' priority areas. Still, the government neither provided direction on the desired path of the policy reform nor dealt decisively with the blockages identified by the studies done. There was no machinery for the overall coordination of donor inputs into decentralisation in general (Kutengule et al. 2004, p. 72). Also, coordination of donor support towards decentralisation is weak at national and local government levels. This is attendant to many factors, including a common belief that donor coordination should be the government's responsibility rather than donors themselves, the need for agencies to deliver a readily identifiable product, and governments' preference to deal with donors individually (OECD 2004, p. 10).

However, more fundamentally, the government could not ensure local government councillors' re-election (Manor 2008). It appears that the incumbent presidents and their political parties make a U-turn on democratic decentralisation policy reforms because of the fear of an alternative power base outside their control – to allow opposition elements to take control of local councils. Wild and Hariss (2011) note that local councils have been seen as

avenues for opposition groups to contest and gain power since the colonial period. During Banda's regime, local councils became de facto arms of the ruling party (as councillors had to seek nomination within the party) and had few substantive powers.

Muluzi's presidency set the scene for Malawi's ambivalent experience with democratic decentralisation. It took a full six years after democratisation in 1994 for local government elections to be held. In particular, President Muluzi frustrated reform progress during his first term (1994–99), limiting the space for the opposition at the local level until he could control it. He abolished the pre-1994 local government councils in 1995 because they were dominated by Malawi Congress Party (MCP) actors. Officially, this was justified by studying various initiatives to find the best way of ending dual administration. The polarised regional politics removed a critical platform that MCP could have used to undermine the UDF. This allowed the UDF to strengthen their position in the Parliament besides consolidating its rule. Following the 2000 local elections, the UDF gained 612 of the 860 District Council seats (71%).

Following the elections, single-tier¹ rural and urban elected local government councils were established in 2000, ending dual administration and bringing all government functions in the districts together under democratic local councils with an administration overseen by District Commissioners. However, to enhance central control, the Muluzi government in 2001 amended the original local government that empowered Councils to recruit their own staff and allowed the central government to influence the appointment of senior officers like District Commissioners.

NDP-II implementation (2005–13)

By 2005, NDP-II, a successor programme to NDP-I, was designed to fully consider the lessons and challenges identified in the review of NDP-1. However, it was not officially brought to a donor's round table meeting to solicit funding support. The postponement of local government elections made it difficult for the government to justify the programme to the development partners (Malawi Government, 2009, p. 6). The NDP-II was revised and extended up to 2013. It sought to provide a coherent framework for implementing decentralisation and also serves as a tool for coordinating donor support towards the decentralisation process. However, support for decentralisation waned after 2005 when the central government consistently postponed local elections. Several donors were concerned and sceptical of top-level ownership and commitment towards decentralisation. They withdrew because of a lack of real progress in implementing democratic decentralisation policy reforms (Kutengule et al. 2015).

One of the largest bilateral donors adopted an agnostic stance towards decentralisation and instead pursued a strategy of channelling resources direct to sectors relevant to the livelihoods of poor people. Danish support ended in 2002, UNCDF's promised support diminished by 75%. Due to this donor fallout, discussions to form a harmonised basket of funding to support the implementation of District Development Plans also failed. However, a few other donors continued to support decentralisation on the agenda, albeit in a selective isolated manner. For example, GIZ continued to provide technical assistance to support local governments' capacity strengthening, including producing materials and relevant guidelines in finance and planning.

It also assisted the local governments in developing strategic plans and service charters – strengthen the Malawi Local Government Association's capacity, and the National Local Government Finance Committee to support Councils to develop and implement revenue

enhancement plans and training of finance staff. The World Bank has also been a key player in supporting the Malawi Social Action Fund (MASAF) and adopting a Local Development Fund (LDF). KFW and ADB have supported the implementation of the development projects in local governments through the urban window of the LDF. Irish Aid has also supported the strengthening of Council financial capacity by recruiting financial analysts, training financial management staff, and regular audits by the National Audit Office. Over the years, there have been too many uncoordinated pilots in selected districts funded by various donors. Still, there has been limited scale up with initiatives dying down once donors terminate funding (USAID 2018).

However, politically, Bingu wa Mutharika's regime continued on the path set by Muluzi. Mutharika's administration systematically side-lined elected Local Government. Mutharika's switch from the UDF to establish his own party, the Democratic People's Party (DPP), in 2004 resulted in a government with minority status in the Parliament. Yet, UDF councillors controlled 71% of the local government councils. He dissolved the elected local government councils in 2005. Others have argued that the postponement of local elections after 2005 appeared to be more about fear of not doing well because the DPP did not have established structures at the local level (Chinsinga 2008).

Following Mutharika's majority win in 2009, significant steps to alter the rules of the game surrounding local government were taken in 2009 and 2010. In 2009, the Malawian constitution was amended to give the President the authority to determine the date of local government elections. Local government elections were further postponed in 2009, 2010, and 2011. While the official justification for postponing local elections was lack of funding amid hunger, the actions reflect the suspension of space for local opposition when a leader's power is not fully consolidated. This was consistent with Mutharika's first term and a well-established pattern that goes back to the late colonial era and the foundation of Local Government in Malawi.

A critical reading of some of the statements of Mutharika and some senior political leaders in the DPP government confirmed this view. It showed the government's inclination towards doing away with democratic decentralisation. It elected Local Government in favour of a deconcentrated decentralisation system with chiefs, MPs, and District Commissioners as the main actors. There were statements like '*The country is not in a hurry to hold local elections because councillors are not important*', '*Councillors are expensive*', and '*Government has made significant strides in rural development working with chiefs and District Commissioners*'. In a continuing trend towards centralisation, important amendments were made to the 1998 Local Government Act in 2010.

These amendments represent a profound desire to dismantle devolution and roll back of powers of local government. First, MPs got voting rights within the District Councils alongside councillors. Second, ward sizes were increased, reducing the number of local councillors to two per constituency. This reflects a novel effort to increase central government authority, rebalancing power by weakening councillors and strengthening the more directly controllable MPs within Councils.

Third, the appointment of District Commissioners directly by the Executive through the Minister of Local Government was formalised, and policymaking powers of local government were removed. Thus, legally elected local government councils only lasted for four years. Still, in the District Consultative Forums, the temporary unelected Councils served as the key decision-making bodies for nine years to re-establish elected local government councils in 2014. These District Consultative Forums were not legally constituted as decision-making forums. Still, de facto emerged as forums for information sharing and decision

making on limited urgent issues with limited attention to strategic matters or financial oversight (Chiweza 2010).

Despite these political developments, sector devolution continued to move forward, although some bureaucratic resistance was evident. Sector devolution was expected to facilitate the transfer of 80% of functions and responsibilities identified for devolution to local governments by 2013. However, bureaucratic blockages affecting sector devolution were persistent (Kutengule et al. 2015). Thus by 2014, about 15 ministries had embarked on the process of devolving functions to local governments. Still, only a few health, education, and agriculture ministries had devolved most of their earmarked functions. Dual administration still existed in the local governments, with central ministries retaining control over expenditure responsibility for the development budget and capital investments.

Indeed a pattern of fiscal decentralisation evolved under the Bingu wa Mutharika years but was characterised by increased sector recurrent conditional grants that are centrally controlled with limited discretionary funding for the councils (Chiweza 2016). Only expenditure responsibilities for recurrent budgets over the selected functions had been fully devolved, but even then, some functions were still controlled by the central ministries, like procurement and distribution of school and teaching materials, recruitment, discipline, and promotion of senior Council staff (Msiska et al. 2018). Devolution of the development budget partially started in 2006 with the Constituency Development Fund (CDF) flow to the local governments. But the rules of such funds preclude local governments from playing a greater role in its resource allocation project implementation decision-making process. Instead, members of Parliament decide on how such funds can be utilised and take a leading role in project implementation processes. Since its introduction, various stakeholders, including the National Audit Office, have raised concerns over the management of the CDF, including the identification, implementation, and monitoring of projects, quality of projects, procurement processes, and accounting for project activities (Kutengule et al. 2015). Project identification and resource allocation are influenced mainly by the Member of Parliament with the aid of party functionaries with little or no control by the Council as a decision-making body (Chiweza 2016).

This signifies a kind of policy incoherence but was deliberately undertaken in Parliament to increase the control of national-level actors in local affairs and shore up the fortunes of MPs at the expense of locally elected councillors. The 2010 changes in the appointments of District Commissioners to be under the control of the Minister for Local Government also reportedly opened them up to greater political influence. Since then, they have been more vulnerable to disciplinary measures (such as removing another district) where they are not seen as politically supportive of the regime. This has increased the direction of accountability of local government level actors towards the centre. Thus, in the 2005–13 period, Malawi operated a deconcentrated system of decentralisation, in which sectors operated on the ground. Still, full devolution was not realised, and not all service delivery functions were devolved. Similarly, issues of recruitment, discipline, and performance management were still controlled from the centre.

The consequence of the selective nature of the implementation of sector devolution is that ministries such as education and health still maintained their own parallel district implementation plans developed through parallel processes geared towards meeting the sector standards and targets. This promoted uncoordinated planning and decision-making over service delivery, with sector and district processes occurring in parallel and overlapping ways (Cammack and O'neil 2014). The 2014 review of decentralisation implementation through NDP-II noted that the underperformance of sectoral devolution was attributed to

inadequate support for devolution in the President and Cabinet office to counter subtle forms of resistance to the devolution process national level bureaucrats (Kutengule et al. 2015). There are no regulatory sanctions on the line ministries for not devolving the earmarked responsibilities and human resources in keeping with the decentralisation policy. After the withdrawal of direct budgetary support in 2014, a variety of other support towards decentralisation came through donor financing of CSOs working on issues of accountability and transparency, including through a coalition of CSOs, supported by the Tilitonse Fund and working with the Ministry of Local Government and Rural Development (MLGRD) towards the reform of the amended Local Government Act.

Policy reform implementation from 2014 to date

Since the expiry of NDP-II, the MLGRD has developed further implementation guiding documents such as the Malawi Municipal Support Programme (2014–15), Programme Framework for Integrated Rural Development and Decentralisation (2016–21), and the Decentralisation Reform Road Map (2018). Following regime change in 2012 and the ascendancy to power of Joyce Banda and later Peter Mutharika, decentralisation reforms took a somewhat different direction. Some isolated positive decisions were undertaken.

In May 2014, local government councillors were once again elected after nine years of absence, prompting a renewed opportunity to promote democratic decentralisation efforts with the elected local government. This triggered support from some traditional donors such as UNDP and Irish Aid, including some who have not ordinarily supported decentralisation activities such as USAID and DFID. However, like in the previous phases, the donors have continued to support selected activities within the decentralisation reform agenda. The Ministry of Local Government has opted to have separate programme arrangements with each of them. So far, the Local Government Accountability and Performance programme (LGAP) supported by USAID is currently the largest programme supporting the revitalisation of local governments in development planning, human resource devolution, strengthening accountability, local authority performance assessment and policy. The World Bank has also moved in to support performance-based resource allocation.

In February 2015, the government publicly announced a public sector reform agenda that included recommendations for accelerating decentralisation policy reforms by reviewing the Local Government Act, Chiefs Act, and devolution of the development budget and human resources. In the 2015/2016 financial year, the government devolved some development resources to be managed by local governments through a separate District Development Fund in addition to the existing Constituency Fund. As a result, more development funds started flowing into the districts through the CDF and DDF. Still, not all resources are consistently financing projects prioritised in the District Development Plans (USAID 2018).

Although the reform of the development budget was supposed to lead to better predictability in the inflow of discretionary development funds, increase accountability, and improve services, there is a huge politically related risk in the implementation. The District Development Budget (DDB) is in effect competing for resources with the CDF, a political fund under the control of the MPs. MPs (across the political spectrum) are interested in gaining more CDF allocations in the national budget for their own political interests at the expense of the DDB to reduce the potential of councillors as competitors for visibility among the communities. Political dynamics have shaped how fiscal decentralisation has evolved in Malawi.

There is no guarantee that development resources transferred to the local governments will implement the local government annual investment plans. Unlike CDF, in the case of the DDB, there is an explicit requirement to link proposed development projects with the District Development and Annual Investment Plans. Other studies have shown that even with the DDB use of established local government instruments such as District Development Plans and Annual Investment Plans to determine resource allocation is resisted by some elected members favouring equal shares (USAID 2017).

The devolution of human resources started in earnest in December 2016. To date, establishment warrants have been issued to local governments and councils. The government also launched the devolution of the Human Resource Management Information System and the payroll management payment of salaries to the local governments.

However, despite some movement on the selected decentralisation policy reforms in the 2014 elections, it was seemingly not in the ruling party's interest to lose control to lower-level officials of decision-making, including chiefs and the patronage opportunities linked to these. There are also divergent interests and incentives between national level politicians (MPs) and local government councillors, which have shown great potential to undermine the implementation of this devolution. The historical conflict between locally elected councillors and MPs (from both ruling and opposition parties) over the local delivery of goods and related access to funding sources has persisted (USAID 2017). Since 2014, a task force comprising civil society representatives and the Ministry of Local Government and Rural Development made several recommendations for reversing the damaging local government amendments effected in 2010. Between 2016 and 2017, a draft bill was presented to Cabinet, but it did not see the light of the day because of two contentious recommendations. These are removing MPs voting power in local government (particularly expressed as important to councillors) and delinking the appointment of District Commissioners/Chief Executive Officers of local governments from the Minister of Local Government and Rural Development has resulted in frequent and disruptive transfers.

It appears that at the time, there was no incentive for MPs to let go of power at the local level and no incentive for the Cabinet to allow the centre to let go of appointing a power of DCs. The repeal recommendations were reportedly labelled 'opposition agendas' and rejected (USAID 2018). This resonates with a narrative that several authors have advanced to account for the delays and failures in the decentralisation process, beyond capacity and resource challenges – the nature of political organisation and competition, elite-dominated political settlements that put in place powerful incentives to drive elite behaviour (Chinsinga 2008; Cammack and O'Neil 2014).

While citizens are certainly concerned with local service delivery, most Malawians are generally not well informed about many local government processes and how the system works to exert pressures for policy reforms. Pressure from formal CSOs related to local governance issues, or reforms related to local government, decentralisation is ad hoc and limited in scope and geographically focus. It remains significantly dependent on donors who have funded related advocacy activities that end when funding stops (USAID 2017).

Conclusion

With the limited government funding to implement key aspects of the reform, shifting political interests, and bureaucratic resistance to devolve, each of the decentralisation reform goals articulated in the policy has been partially achieved in Malawi. Thus, 22 years later, decentralisation has not been fully achieved. Political circumstances and the availability of donor funding

influenced the reforms' shape, pace, and durability. There has been a stop and go unsystematic implementation of the policy reforms, depending on political feasibility and how resources become available. The administrative, fiscal, and political dimensions of decentralisation in Malawi have been rolled out in different sequences, given the minimal donor priorities and coordination of decentralisation support. As I write this chapter, Lazarus Chakwera and Saulos Chilima's new government follows the 2020 fresh presidential elections. Public sector reforms and decentralisation featured highly on their electoral campaign agenda. Whether the new political regime will positively transform the fortunes for democratic decentralisation policy reforms in Malawi remains to be seen. Meanwhile, a group of actors comprising the Ministry of Local Government and Rural Development, in collaboration with civil society organisations, has mounted fresh efforts to submit a Local Government Amendment Bill to Cabinet and Parliament to reverse the comprised amendments in 2010.

Note

- 1 This implies that all local government councils are independent of one another and no local authority has supervisory responsibility over another.

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INDIGENISATION POLICY IN THE EXTRACTIVE SECTOR IN ZIMBABWE

A critical reflection

Kennedy Manduna and Davison Muchadenyika

Introduction

Thomas Kuhn's *The Structure of Scientific Revolutions* has influenced the understanding of paradigms and paradigm shift in social sciences. Kuhn ([1962]1996, p. 3) defined paradigm as "an accepted model or pattern" about the underlying assumptions, theories, thought, procedures, orientations and laws shared by members of a scientific community within a particular scientific field, e.g. quantum computing or physics. Although Kuhn initially developed it to describe and explain the scientific developments in the natural sciences, the concept of paradigms has been extensively applied in the social sciences, particularly in policy sciences. Hall (1993) introduces policy paradigm to mean a policy framework of standards and ideas that articulates the following: (a) the policy problems to be addressed; (b) the policy goals; (c) the policy instruments to be used to achieve the policy goals and address the policy problems. For Ngok and Huang (2014), a policy paradigm is a binding ideology that stabilises a policy.

However, a policy paradigm shift happens when the existing paradigm becomes weak; that is, the policy instruments no longer effectively respond to policy problems. A new policy paradigm is justified here as it proposes new policy solutions to the existing policy problems. A policy paradigm shift represents a radical change in policy interpretation initiated by anomalous events within the existing paradigm (Ngok and Huang 2014).

The accumulative effects of such anomalous events compel policymakers to change policy instruments and instrument settings to address the policy problems that the existing policy paradigm may fail to address. The failure by the paradigm to address the existing policy problems justifies its jettisoning and searching for new policy alternatives. Therefore, a policy paradigm shift is an intense contest of the competing policy paradigms, i.e. the old one and many alternative ones seeking to replace it.

In the Zimbabwean case, like all other modern political systems, paradigm shifts are also relevant in understanding public policy trajectories, especially from 2000 (Raftopoulos and Compagnon 2003). The policy trajectory shifted in Zimbabwe from generally distributive policies during 1980–90, followed by neoliberal policies during 1990–2000, to predominantly post-2000 expropriation and retributive policies. This chapter examines these shifts based on an elitist approach to public policy processes and policy change, namely,

the political settlement framework. This chapter is organised as follows: the next section provides a brief history of indigenisation policies in Zimbabwe to put into context indigenisation policies in the extractive sector. This is followed by a presentation of the political settlement framework, identification and empirical discussion of the main themes of these settlements in Zimbabwe and a conclusion. We primarily rely on data from documentary analysis and key informant interviews on Zimbabwe's indigenisation policy in general and mining indigenisation policy.

Indigenisation policies in Zimbabwe: a brief history

The resurgence of the resource nationalism paradigm after the year 2000, particularly after 2005 (Pryke 2017), especially in the extractive economies of the South, could have ramped up the calls for extractive industry indigenisation in Zimbabwe. The demands for the indigenisation of the sector were further justified by Zimbabwe's low-income status and its richness in the mineral that naturally predisposes it to attract substantial foreign capital or investment. This political economy of mining capitalism further configured the uneven development architecture in the sector. In 2010 (i.e. before the commencement of extractive industry indigenisation), 80% of the mining claims, i.e. conglomerates and small companies, were owned and controlled by foreign investors (Zimbabwe Chamber of Mines 2015, 2016). Domestic investment in the sector, largely artisanal and small scale, accounted only for 10%.

Similarly, through the Zimbabwe Mining Development Corporation (ZMDC), the government, either in part or in whole, owned the remaining 10%. The sector accounted for about 65%–70% of the country's exports, making it the huge contributor of the country's foreign currency, of more than 45% (Zimbabwe Chamber of Mines 2015). Before 2010, the sector contributed about 25% to the national economy.

To address the economic unevenness in general and in the extractive industry, Zimbabwe drafted the Indigenisation and Economic Empowerment Act (IEEA, *Chapter 14: 33*) on March 20, 2008. Indigenisation policy's primary objective is to empower the disadvantaged indigenous citizens by restructuring capital in ways beneficial to those considered indigenous after 28 years into independence or after 90 years of colonialism, i.e. 1890–1980. During colonialism and thereafter, the indigenous black majority were systematically disenfranchised from meaningfully participating in mainstream economic activities. Initially, the indigenisation law required all existing nonindigenous businesses worth at least US \$500,000 to indigenise at least 51% of their equity in five years beginning March 2010. Also, the law required new or potential nonindigenous businesses to comply with the set 51% indigenisation equity threshold within five years of operation. Specifically, nonindigenous businesses with a net worth of US\$1 must comply with the indigenisation laws.

Of importance is that the IEE Act, 2008 was an outcome of various legal and political processes. In the 1990s, when indigenisation gained momentum, indigenous organisations lobbying and advocating for indigenisation interpreted the absence of indigenisation legal and policy frameworks to mean the government's lack of integrity to do two fundamental things (Chitsove 2014). First, empowering the disenfranchised indigenous citizens. Second, restructuring capital through indigenisation, a political settlement that would tilt the balance of economic power favouring those considered indigenous while correspondingly disfavouring those deemed nonindigenous.

In March 1997, the government, through the Ministry of Industry and International Trade and the United Nations Development Programme (UNDP), entered into a technical support assistance agreement to address the indigenisation policy and legal deficiencies.

This was called the Technical Support for the Indigenisation Policy Program (TSIPP) to expedite and smoothen indigenisation (Chipika and Malaba 2011; Chowa and Mukuware 2013). Furthermore, the TSIPP enabled the government to produce workable strategies for empowering the indigenous citizens. Also, poverty eradication among indigenous citizens was the ultimate intention of the TSIPP. The Department implemented the TSIPP for State Enterprises and Indigenisation (SEID) housed in the Cabinet (OPC) Office before Office Being located initially in the OPC shows that the government gave the programme the highest priority.

The TSIPP was implemented from March 1997 to December 2003. Ultimately, the TSIPP shaped the nature and structure of the subsequent indigenisation programme, legislations and regulations. The government adopted economic nationalism to give the indigenous businesspeople preferential treatments in all tendering and procurement issues. The government finally drafted and adopted the “Policy Framework on the Indigenisation of the Economic” in February 1998. This was the first time in the history of indigenisation of the economy (Machinya 2014). Thus, in 1999 the government contracted Intrados, an international consulting firm, to prepare the Trust Deed for the National Investment Trust (NIT) (Marongwe and Muguti 2016).

Again, following TSIPP’s recommendations, the 1998 indigenisation policy framework was revised and adopted in 2004 as the “*Revised Policy Framework for the Indigenisation of the Economy.*” This positioned the policy framework to empower the indigenous Zimbabweans economically. Consequently, with the help of TSIPP, the revised indigenisation policy framework supported the enactment of the IEE Act, 2008, besides other relevant legislation (Machinya 2014). The Act and the subsequent indigenisation legislations operationalised the 2004 indigenisation policy (Chitsove 2014). The Indigenisation and Economic Empowerment (IEE) Bill in December of 2007 assented into law (i.e. the IEE Act) – three months later in March of 2008. In the extractive sector, the IEE Act effectively began in 2010 with the General Indigenisation Regulations of 2010. The government implemented extractive industry indigenisation through several policy instruments, *inter alia*, Community Share Ownership Trusts/Schemes (CSOT/S), Employee Share Ownership Trusts/Schemes (ESOT/S), Sovereign Wealth Fund, Youth Development Fund and Direct Equity Participation. Besides, the implementation of indigenisation in the extractive sector follows other legal frameworks – namely, the IEA Act; *The Government General Notice No. 114 of 2011* (“GN 114/11”); and *The Indigenisation and Economic Empowerment (General) Regulations, Statutory Instrument 21/2010* (“SI 21/10”).

Consequently, mining companies under foreign ownership had to initially cede, donate or sell, and later dispose of at least 51% of their equity to the indigenous people. This involved various approaches, with the Community Share Ownership Trusts (CSOTs) being the major approach. Together with different qualifying nonindigenous mining firms, the government launched 61 CSOTs across the country, one in every rural district. However, a few recorded significant success stories in their community development endeavours (Dube 2013, etc.).

Understanding indigenisation through political settlements framework

While the concept of the political settlement remains disputed, there is a general agreement that such settlements are “[a] consensus between political elites on the rules of the game” (McCandless 2018, p. 20). Di John and Putzel (2009) submit that the central characteristic of such settlements reflects an elitist approach to public policy. This involves forging an agreement between and among political elites to advance and protect their best interests through

consensual administering, exercising and distributing political power. To Khan (2018), the political settlement framework helps understand that the distribution and exercise of political power are crucial in discerning the political and economic effects of policies and institutions. The national institutions and policies determine and forge the rules – either underlying or articulated – that include policy direction, resource allocation and power dynamics. As “[a]n ongoing process containing specific events such as elite bargains and peace agreements” (McCandless 2018, p. 21), political settlement processes in Zimbabwe’s extractive industry indigenisation dynamics make it possible for the state to generate rents for (a) *state preservation*, (b) *regime survival*, (c) *thwarting regime change forces – both internal and external* and (d) *elite personal accumulation of both power and wealth*.

To the elites, the extractive industry indigenisation is essential for accumulating wealth. In the political settlement framework, the national institutions and policies articulate rules of the game – both explicitly and implicitly – that prioritise the elites’ interests.

Themes of political settlements in Zimbabwe’s indigenisation policy

Some of the accumulative nature of the political settlements within Zimbabwe’s extractive industry indigenisation includes the following themes: legislating looting, and deliberate lack of clarity in the indigenisation policy and legal documents.

Legislating looting factor and regime preservation

It would seem that the Zimbabwean version of indigenisation, notably in the extractive industry, was more of a sophisticated and legalised way of looting public resources by the political and business elites. The attendant legislated corruption of political settlements is difficult to prove and prevent (Warikandwa and Osode 2017). Moreover, this kind of looting has characterised the state in Zimbabwe since independence. Therefore, problems with indigenisation laws, particularly in the extractive industry, also lie in the fact that they were enacted to undo the well-configured colonial uneven economic architecture that influences the post-colonial Zimbabwe’s political and policy processes. Indeed, the colonial legislation, policies and politics were keen on creating and sustaining a bifurcated society, i.e. creating a colour bar development outlook in the colonies – with the indigenous peoples occupying the lower classes while Europeans upper classes (Mamdani 1996).

The enactment of indigenisation policies was ultimately part of efforts to address the legacies of structural inequalities in the colonial system in contemporary Zimbabwe. However, indigenisation laws and policies have remained ambiguous and too inconsistent with undoing the colonial legacy of uneven economic architecture. Also, finding an apposite solution to this challenge has proved rather complex. Therefore, indigenisation is more of an elitist formal and organised scheme by the political and business elites to engage in massive private accumulation of public wealth than the empowerment of the largely poor population. In corroboration with this stealth intent of the affirmative action policy, a respondent argued that “the policy is the ugly legal face of primitive accumulation and predation” (Interview: AR2, 23 June 2018). Similarly, another respondent remarked that “indigenisation was a legislated, organised thievery” (Interview: SGR7, 20 June 2018). Thus, indigenisation processes, notably in the extractive industry, can be described as more of “new avenues for primitive accumulation” (Mandaza 2015, p. 14).

Besides covert and overt indigenisation shady deals between the political elite and non-indigenous mining businesses, the policy enhances the private accumulation of indigenisation

proceeds by the ZANU-PF regime loyalists. Matyszak (2012), when comparing the South African Broad-Based Black Economic Empowerment (BB-BEE) legislations with Zimbabwean indigenisation legislation in promoting elite enrichment, remarked: unlike the South African legislation (which can be manipulated to elite advantage), Zimbabwe's empowerment legislation contains several clauses which seem specifically designed to achieve elite enrichment – notwithstanding the Minister's protestations. It is "intended to ensure sustainable development of the economy and fight poverty among most people." There are several clauses in the Regulations which give rise to this suspicion (p. 5).

This was further reflected by a respondent in the civil society who said that:

With the indigenisation programme, the ZANU-PF government played the game of law. Vakarasisa vakawanda (many were deceived) through the laws they penned to their favour. The empowerment laws, if you read them critically, you could easily see that they are not meant to empower but rather to disempower.

(Interview: CSR3, 05 August 2018)

Moreover, Matyszak (2017, p. 17) contends that mining indigenisation deals were more of "racketeering by regulation," which CSR4 termed "state-sponsored heist." Paul Krugman, in a 2003 *New York Times* column, affirms such outcomes in political settlements. He says, "A while back, George Akerlof, the Nobel laureate in economics, described what's happening to public policy as 'a form of looting'" (Krugman 2003, para. 10). In light of this, another civil society respondent stated that:

Comrade, I am a lawyer by profession. I said more than once that what was written in the laws and how the policy was sold to the people are two different things. Totally different things. The law is going North while the sold policy is going South. No wonder why no one is getting empowered. They [Indigenization laws] are not, whatsoever, designed to empower ordinary Zimbabweans. They are designed to empower those who are already empowered. How can you expect the ordinary people to be empowered while every buck stops with the minister in charge of indigenisation? The minister has unfettered discretion to empower or disempower anyone, whether an indigenous person or a foreign person.

(Interview: CSR5, 20 June 2018)

The widely cited example of these indigenisation laws promoting elite enrichment is Section 15(1) of the Indigenization and Economic Empowerment (General) Regulations, 2010. The Section requires the minister responsible for Indigenization "to maintain a database of people who are potential beneficiaries of controlling interests in non-indigenous businesses" (Matyszak 2012, p. 5). Sections 15(1) (a) and (b) read: the Minister shall maintain a database of (a) persons wishing to identify any indigenous Zimbabwean to acquire a controlling or lesser interest in his or her business and (b) indigenous Zimbabweans who wish to partner a person referred to in paragraph (a).

Similarly, in Subsection 2, every nonindigenous business owner who wishes to identify an indigenous Zimbabwean to dispose of a controlling shareholding should not notify the minister through Form IDG 05. Nonetheless, the minister should be satisfied that the notice is made in good faith for the person concerned to be registered in the database. The same goes for an indigenous Zimbabwean who wishes to partner with a nonindigenous-owned company. The concerned indigenous person should notify the minister through the form

termed “Form IDG 06.” Before registered into the database, the minister must also be satisfied that the notice is done in good faith. As no qualifications are set to determine one’s suitability to be registered in that indigenisation beneficiary’s database, having such a provision makes the minister responsible for indigenisation so powerful and feared, both inside the government and in the corporate sector. The law is open-ended, and the minister has wider discretion to enact unilateral regulations and decisions (Mawowa 2013). Hence, providing good infrastructure for political corruption for the rentier state generates rents for regime survival and elite accumulation of wealth.

The racketeering through legislation prompted one of the respondents to lament that “through juxtaposing all the legislation governing the processes of indigenisation and empowerment in this country, you will see that the real intention of this policy is not for the betterment of the poor. It was like regulating the abnormal” (Interview: SGR7, 26 June 2018). Getting the indigenisation minister satisfied with one’s notice for his or her name to be registered as the potential beneficiaries of the policy is more likely to be the beginning of political corruption. Using unfettered discretionary powers, the minister could choose not to be satisfied by one’s application. Hence what one needs to do to get the minister satisfied is something unwritten, uncodified or unspoken.

Such practices transcend the policy’s governing legislation – help the minister responsible for indigenisation to either reject or accept an application based not on the strengths (or lack thereof) of the application’s merits (Simpson and Hawkins 2018). Instead, on his or her strategic political choices that promote regime survival and wealth accumulation by the elite. The implication of this may be that the clause is a powerful legal infrastructure for large-scale political corruption. Furthermore, this is highly probable, considering the pervasiveness of patrimonialism and clientelism in the successive ZANU-PF governments – that include the names of the “filthy and stinging rich” (Interview: CSR3, 05 August 2018). ZANU-PF, the military and their associates, instead of the deserving poor indigenous majority, populate the database. That is, by giving the minister (a politician with vested political interests to protect, advance and defend) rather than the government agency, namely, the National Indigenization and Economic Empowerment Board (NIEEB), the onus of deciding who to include and exclude in the database of potential beneficiaries is indicative of “racketeering by legislation.”

According to Di John and Putzel (2009), the political settlement framework dictates that doing this is strategic for serving, advancing and promoting the ruling elite’s interests. A possible implication of this “racketeering by legislation” could be to ensure that the affirmative action policy only benefited the politically aligned. Perhaps, this explains why both the ministry and the minister responsible for indigenisation are powerful. The minister is among the most influential yet contentious individual during former President Robert Mugabe’s two terms in office. It was stated that the ministry is a ZANU-PF’s strategic cash cow jealously guarded by appointing an uncompromising ZANU-PF hardliner as its head honcho.

In retrospect, Simpson and Hawkins (2018, p. 293) assert that “[t]he Minister was thus able to make up the details of the policy on the hoof, and give himself maximum discretion to issue new directives at any moment of his choosing and whenever money was urgently needed.” In the final analysis, one may argue that the minister had to interpret what was in the national and public interest to mean a deliberate course of action that promotes the furtherance, survival, winning and sustainability of ZANU-PF as the ruling party.

Still, the excesses of indigenisation were made easy by the conflation of the ruling party and the state, as one could hardly draw a line between the two during Mugabe’s incumbency (Doré 2018). Matyszak (2012) additionally argues that the minister’s broad discretion

on registering a person in the database of potential beneficiaries of indigenisation is being weaponised against those perceived as dissidents to ZANU-PF.

Legal inconsistency

Inconsistent indigenisation legal and policy frameworks are promoting elites to ingrain their political settlement strategies. The legal confusion, inconsistencies and prevarications are not acts of weakness or ineptitude of the policymakers but are super legal and political brilliance subtly disguised as weaknesses or ineptitude. The government uses smokescreens as deceptive strategies. A civil society respondent confirmed that:

The confusions and all the nonsense you see in the legal documents are not by any standard a semblance of ignorance or weakness on the part of those who crafted them. In fact, they are the strengths of this ZANU-PF government. The devil is in the details.

(Interview: CSR5, 20 June 2018)

Therefore, it seems possible that the pervasive inconsistencies and ambiguities in the indigenisation legislation and policy are products of super political intelligence: intelligently crafted, consistently and systematically included in indigenisation statutes and strategically invoked, apparent as ruses, whenever the powers that be are found wanting. This practice is also prevalent in monetary and fiscal policies. While commenting on how the Zimbabwean government is smartly robbing citizens through currency manipulation beginning 2014 to date, Moyo (2020, para. 34) asserts that “Top-grade criminals run our economy. Geniuses have mastered the art of looting and disguising it as ignorance. The biggest beneficiaries of Zimbabwe’s economic woes are Zimbabwe’s ruling elite.”

Accordingly, a respondent sarcastically remarked that “Do you honestly think these guys didn’t know what they were doing when they crafted such contradictory laws? They knew what they were doing. The contradictory laws are used as a decoy. Simple” (AR1, 20 July 2018). Also, Simpson and Hawkins (2018) argue that the legal prevarications in the indigenisation statutes are more of deliberate acts than errors. In their words: “This was not unintentional,” they went on to argue (2018, p. 290). On how legal vagueness is helping ZANU-PF to achieve its political survival objectives, Simpson and Hawkins (2018, p. 290) further contend that:

In addition, the vaguer the rules, the greater the scope for discretion and capriciousness, and the more room there was for ZANU-PF and civil servants to shift the goalposts to suit their immediate needs and widen the scope for patronage, graft and corruption – the latter all hallmarks of the fragile state that Zimbabwe had become.

The Research Advocacy Unit (2016, p. 2) argues that “The source of the ‘lack of clarity’ arises from the disjunctures between the Act as it is, the Act as various government officials think it ought to be and the implementation of the law, or its conceptualisation, in practice.” Similarly, Matyszak (2014, p. 2) remarks that “The defining characteristic of Zimbabwe’s indigenisation policy has been the wide disjuncture between the law (as it is), government pronouncements of the law (as they would like the public to believe it to be) and the policy in practice.” Thus, the main cause for policy failure of indigenisation policies resides in the ambiguous legal frameworks. The indigenisation legal frameworks, which Matyszak (2014, p. 2) calls the “(Il)legal framework” and “legal gibberish,” are fundamentally premised on

objectives different from empowering the disadvantaged indigenous citizens. They mean different things to different people at the same and different times. For example, Section 6(5) of the Indigenisation and Economic Empowerment (General) (Amendment) Regulations, 2011 (No. 3) (Statutory Instrument 34 of 2011) reads:

A business (other than the business of a sole trader) on whose behalf a responsible person has submitted primary documents to the Minister in accordance with section 4 shall not be considered not to have complied with section 4(1) or (2) unless the responsible person also submits the secondary document, either simultaneously with the primary documents or no later than the final day for compliance with section 4(1) or (2), whereupon section 4(4) shall apply to such business as if it had not submitted any primary documents.

Still, the First Report on the Thematic Committee on Indigenisation and Empowerment on the Community Share Ownership Trusts and Employee Share Ownership Trusts of 2015 reported that “misunderstanding of the [Indigenization] programme” (p. 5) presented a major stumbling block to implementing the affirmative action policy to its successful conclusion. The report argues that the attendant effects are politicisation and polarisation of the indigenisation programme and intransigence, avoidance and evasion of the programme by many local nonindigenous mining companies.

The government often keeps amending important extractive industry indigenisation laws, raising questions regarding policy predictability, consistency and clarity. This is evident in the Community Share Ownership Trusts (CSOTs) established under Section 14B of the Indigenisation and Economic Empowerment (General) Regulations, 2010 (amended in 2013). According to this legal provision, the qualifying businesses should “donate” 10% of their equity to the community through the CSOTs. Section 14B (5) of the General Regulations reads: “The minimum share that an owner of a business wishing to use the qualifying scheme or trust shall donate to a community shall be 10% of the net asset value of the business in question.” Even though this Section was inserted in 2013, “the [indigenisation] Minister and the National Indigenisation and Economic Empowerment Board (NIEEB) stated that the law was that it was mandatory for every extant foreign mining company to ‘dispose’ of 10% of ‘its’ shares to a CSOT” (Matyszak 2014, p. 5).

Further to this, debates and studies on indigenisation and economic empowerment in Zimbabwe are often naively carried out without sufficient knowledge of the laws governing the administration and implementation of the policy. Respondents, particularly those drawn from the indigenisation implementing agency, NIEEB, observed that very few people could dare verify whether what is implemented on the ground is *ultra vires* or *intra vires* with the governing laws. It is, therefore, unsurprising that most of the *indigenisation executive pronouncements, particularly in the extractive industry, tended to conflict not only with each other but also with the governing legislation*. Evidence shows that prevailing confusions and deficits in the statutes reflected the ZANU-PF government’s policy impulses and inconsistencies which are fundamentally informed by “how far are we from the next elections” (Interview: CSR5, 20 June 2018). In fact, Matyszak (2014, p. 2) remarked:

As it became clear that official whims were motivated by impending elections, the indigenisation and empowerment” undertaken by many non-indigenous and foreign mining companies in practice merely acted out an understood role in a script written to advance ZANU-PF’s pre-electoral rhetoric and pre-election objectives.

This deliberately and discreetly creates a situation that subsequently gives the ruling ZANU-PF political leverage leading to abuse of the rule of law and property rights in the administration and implementation of indigenisation.

Lack of capacity by the majority of the population to benefit from indigenisation policies

Matyszak (2012) contends that for the indigenous Zimbabweans or a consortium of the same to acquire at least 51% of the equity and controlling interests in the foreign and nonindigenous businesses, they essentially need two basic qualities: first, a minimum capital of not less than US\$ 255,000, and second, business intelligence and managerial capacity to run indigenised businesses. However, besides the political and economic elites, most indigenous citizens who are potential beneficiaries of indigenisation cannot fulfil these conditions. Consequently, the indigenisation statutes are subtly written so that the deserving beneficiaries will be systematically excluded while benefiting the rich and powerful upon implementation.

Furthermore,

those with the necessary financial resources and expertise would have, in many instances, quite evidently already have managed to overcome, in more than 30 years into independence, any historical disadvantages suffered by themselves or their families without the (further) assistance from the post-independence state.

(Matyszak 2012, p. 5)

Altogether, lack of capacity and other variables explain how and why indigenisation programmes essentially produce adverse policy outcomes. Therefore, *although wealth is changing hands from the nonindigenous capital to the indigenous, an already amplified uneven economic structure is worsened in the wake of the indigenisation policy*. Indeed, the unintended groups benefit more than the intended ones; wealth is transferred to local political elites.

Thus, George Arkelof contends, indigenisation policy is a form of looting (Krugman 2003). Indeed, through the IEE Act and sundry legislation, the Indigenization programme could have been all but a legalised instrument for predation and accumulation that is primarily aimed at regime preservation. There seems to be a cross-cutting obsession with the interpretation of policy processes towards regime preservation and power consolidation by political elites instead of addressing pertinent public policy problems. This chapter indeed demonstrates that policymaking and implementation aimed at regime preservation is not unique to Zimbabwe. Oft, this has resulted in disastrous state-centric policy approaches and politicisation of public policy processes – hence policy failures (see also *Chapter 33*).

Conclusions and recommendations to practitioners

Based on political settlement frameworks, this chapter discussed how the government and regime loyalists frame and use public policy to enhance regime preservations and accumulation of private wealth and power over and above, addressing pertinent policy concerns. The following policy lessons are deduced. First, *there is a need for robust, effective and inclusive policy and legal institutions to dismantle and guard against all forms of political corruption*. With their neo-patrimonial and predatory distinctiveness, the extractive political, legal and economic institutions provide a conducive environment for corruption. Second, *there is a need for clear, aligned and consistent indigenisation legal and policy frameworks*.

Effective policy implementation needs clear, consistent and aligned legal and policy frameworks. Zimbabwe's indigenisation laws and policies are inconsistent, ambiguous and non-aligned, making implementing mining indigenization challenging. Third, *there is a need to develop effective indigenisation monitoring and evaluation (M&E) mechanisms for transparency, integrity and accountability*. The indigenisation M & M&E systems are essential to track whether beneficiaries benefit and outcomes are consistent with policy goals. Currently, Zimbabwe does not have a standalone indigenisation M & M&E system.

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POLICY LEARNING AND POLICY FAILURE IN AFRICA

The case of electricity privatization in Ghana

Frank L. K. Ohemeng and Joshua Jebuntie Zaato

Introduction

Do policymakers learn from past policy mistakes or failures? This is a question that public policy scholars continue to wrestle with. For instance, the lesson learning literature focuses on policy learning from different policies, actors, and the environment, as well as the successful implementation of policy elsewhere, and whether the same policy actors learn from their mistakes over future policy enactments in the same socio-political environment. In a rational model, one expects policymakers to learn from policy errors, but this seems not to be the case. Repeated policy errors and failures are common across the world, leading to increased attention to policy learning and failure in public policy studies (Mueller 2020). Dunlop (2020) highlights the need to study whether policymakers learn from policy failures because “although policy failures present valuable and multiple opportunities for policy learning. . . the potential is very difficult to explain” (p. 2). Nowhere is this “potential” more serious than in Africa where countries have been accused of not making their own policies (Conteh and Ohemeng 2009), but are rather “policy bandwag-ners” (Ikenberry 1990) or “policy hooks” (Ohemeng 2005) to the international policymaking game. Policy failures remain across Africa despite the help and assistance from international policy actors in designing and, to some extent, in implementing policies. Thus, expectedly African policymakers need to learn from such failures. But, considering the repeated policy mistakes, this is rarely the case, especially, as commonly seen in privatization, defined here as the means of transferring or shifting the functions, responsibilities, and authority of public organizations to private sector management (Bensch 2019).

From the early 1980s and with the adoption of World Bank/IMF-backed structural adjustment programs, several African countries embarked on privatization to downsize their public sector that suffered from “bureaucratic elephantiasis” (Goldsmith 1999). While in most countries, the initial privatization drive focused on selling moribund State-Owned Enterprises (SOEs). From the early to mid-1990s, attention was shifted to core SOEs dealing with water and electricity. Consequently, by the late 1990s to the early 2000s, many public utilities had either been privatized or were on the chopping block. Unfortunately, the early utility privatization result has been abysmal (e.g., Bogdonoff and Rubin 2007).

The private entities’ management became so disastrous that governments had to revert them or embark upon bringing these services back to in-house delivery (Bayliss 2008). For example,

in Ghana, the privatization of urban water services failed to achieve its purpose and created significant problems for the private entity and the Ghana Water and Sewerage Company, causing the government to reverse its course by renationalizing it (Mvulirwenande et al. 2019). Similarly, water privatization failed in Tanzania (Bayliss 2008). There were similar experiences in South Africa, Guinea, Senegal, etc. (Bensch 2019; also see Chapter 18 in this volume for details on water management policies in these countries). Policy failures have also led to public project failures, leading to severe infrastructure deficit and impeding economic growth (Damoah and Akwei 2017). Undoubtedly, policymakers might have learnt vital lessons from these failures.

In early 2019, Ghana privatized its electricity after pressure from the United States and years of feet-dragging on the subject (MacLean et al. 2016). Privatization was premised on the “inefficiencies” of the state-owned Electricity Company of Ghana (ECG), which had led to its inability to provide power consistently despite several reforms (Niekerk 2016). The power supply had been so erratic that Ghanaians described it as *dumsor dumsor* (switch on and off), or *dum dum*, indicating total blackout (e.g., Ohemeng et al. 2020). Retrospectively, the government privatized the ECG to the Power Distribution Services (PDS). Three months later, the government terminated the contractual agreement with PDS and renationalized electricity, leading to another public utility privatization debacle in Ghana.

Did Ghanaian policymakers learn any lessons from the failure of water privatization in the early 2000s and other failed utility privatizations worldwide? What factors constrain policymakers from learning from policy failures in Ghana? Drawing on the policy learning and failure literature, we argue that Ghanaian policymakers failed to learn from privatization failures because of policy imposition by external sources, policy politicization, budgetary constraints, weak administrative capacity, elite corruption, and wrong policy design and policy capture by policymakers. Without detailing the privatization of the ECG, this chapter examines how these factors led to the privatization fiasco. Data were collected by interviewing key policy actors purposively selected from public and non-governmental organizations in Accra, Ghana. We begin with a brief review of the policy failure and policy learning literature, followed by a discussion of privatization of the ECG, analysis of factors that might have impeded learning by policymakers, which led to another failure of utility privatization Ghana, and conclude with policy recommendations.

Policy failure and policy learning: a review

Policy failure continues to generate heated discussions among policy scholars (Dunlop 2020; McConnell 2015). This is because what constitutes policy “failure” or “success” is difficult to pinpoint (Ingram and Mann 1980). The dictionary definition of “failure” is incomplete, as failure is described as a lack of success. Thus, the concept is instead treated as the opposite of something (Howlett 2012). Another problem is that the concept “involves a calculation of whether a policy outcome is Pareto inefficient in the sense that Pareto efficiency provides society with a utility possibility frontier where an individual cannot be made better off without another being made worse off” (Grant 2009, p. 558). That is, there is no policy failure if no one suffers from the lack of achievement of the policy goals. Again, the use of different concepts, such as “policy accidents, errors, mistakes, and anomalies” (Howlett 2012, p. 539), to refer to failure makes it problematic. The third factor that has affected the concept’s definition is “measurement”. How should one measure policy success or failure? To some scholars, the policy environment is extremely complex (Hudson et al. 2019); hence, a policy success or failure may be due to factors beyond policy intentions, or a policy failure, for example, may lead to the successful introduction and implementation of another policy (Ingram and Mann 1980).

Either way, the definitions in the literature fall into broader and narrower perspectives. The narrower view focuses on the inability of a policy to achieve its intended goals completely (McConnell 2015), or simply put, “absolute nonachievement” (Hudson et al. 2019, p. 2). It does not acknowledge the small and modest successes of policies. McConnell (2010) says that “a policy fails if it does not achieve the goals that proponents set out to achieve, and the opposition is great and/or support is virtually non-existent” (pp. 356–7). There is no acknowledgment of the residual effects of policy because they are not part of the policy objectives. Accordingly, policy failure is the “failure of policy to attain policy objectives, the occurrence of outcomes that have adverse impacts on target populations, or ones which have negative political outcomes for policymakers” (Nair and Howlett 2020, p. 133). The problem with such a narrow definition is that it rarely recognizes, even if *limited successes* or “impact” that the policy may have. For instance, in discussing Medicare and Medicaid in the United States, Ingram and Mann (1980) wrote:

Measured against the objective needs of old people faced with rapidly escalating medical costs, it unquestionably was a success. Measured against overall societal costs, it was pitifully inadequate...Medicare has reduced the financial burden on the aged ... and made accessible to the medical care they otherwise found unavailable, although it may be also have contributed to medical cost inflation. Medicaid has not substantially reduced the financial burdens of the poor, but it has made medical care more accessible...improved the health of the poor.

(p. 13)

Thus, defining the concept based on “absolute nonachievement” may be a stretch and needs refinement. Still, policy failure cannot be considered in absolute terms as it may have multiple objectives and targets of multiple segments of the population. Hence, a failure to achieve one or more objectives but “succeeding” in others must be well acknowledged. McConnell (2010) considers this as the “grey areas in-between”. Following the narrow definition, we introduce the idea of policy reversal as an element of policy failure. Accordingly, a policy is abandoned for not achieving its objectives, but the government moves back to its existence before introducing the new policy. Thus, we define policy failure as the *inability of a given public policy to achieve its objectives, leading to a policy reversal and a complete abandonment of such policy*.

Consequently, “failure” connotes a policy that is supposed to replace an existing policy that fails to achieve its objectives, leading a government to completely reverse the course of action. For instance, in privatization, one expects a change in governance, i.e., public ownership or management, to a private one. In this case, the government will reverse policy failure by going back to public ownership or management with little change. Thus, the consequences of policy failure are returning to the old arrangements and not necessarily developing another bad policy (Pritchett et al. 2010).

Why policy fails

Several causes of policy failures have been identified. Often, policy failure has been attributed to policy implementation failure (Pritchett et al. 2010). To Volcker (2014), a “vision (policy) without execution is hallucination”. Therefore, a policy is useless without implementation. Consequently, Volcker rhetorically asked: “how much attention is being paid to how to get something done, to practically implement big ideas, to achieve a degree of effectiveness and efficiency in the provision of necessary public services?” (p. 440). To Spillane et al. (2002),

policies fail because of poor implementation and that implementation failure is due to the inability of policymakers to formulate the expected policy outcomes, provide adequate governance mechanisms, and build the capacity of implementing agencies to undertake their assignments (pp. 390–1).

Others like Hudson et al. (2019) identified four issues: overly optimistic expectations, implementation in dispersed governance, inadequate collaborative policymaking, and the vagaries of the political cycle as factors that continue to impede policy success. Thus, besides implementation, other factors contribute to policy failures, the complex nature of government. Mueller (2020) identifies “five pathologies” of the system that contribute to policy failures. These “are characteristics of the situation in which public policies are made and implemented, or of the relations they entail, that make it difficult to control, assess, evaluate, and predict what will happen when the planned actions are” (p. 311).

These pathologies show that policies are non-linear and emergent, or straightforward as it has been assumed. Moreover, policies can twist and turn as a result of “imitation, fads, habit, hysteresis, and several types of externalities” (Mueller 2020, p. 315). Second, policies do not settle in equilibria and are hardly predictable. Hence, “predictions are a fundamental requirement of the standard approach to public policies” (p. 315). However, complex systems do not allow such prediction to happen since anticipating a series of future scenarios is difficult due to bounded rationality. Hence, it is difficult to predict what may happen in the future.

Third, Mueller says that policies evolve and coevolve all the time. This evolution is affected by “culture, beliefs, institutions, norms and technologies, as well as changes through a process of variation, selection and replication” (p. 316). These affect how public policies “arise, how they operate, and the impact they have” (ibid). Furthermore, since these variables are not stable and are subject to rapid changes, “evolution does not optimize, but rather looks for fit design, which means design that replicates faster than competing design given the environment” (p. 316).

Fourth, public policies are subjected to “cognitive biases” since policymakers are bounded rationally and subjected to genuine cognitive deficiencies. Therefore, it is difficult for policymakers to get policies right, as they face constraints of the political system. He identifies the problem of reactivity as the last cause of policy failure because, in a rational world, “groups and individuals subject to a policy are often aware of the fact that they are being manipulated” (p. 317). Accordingly, people “purposefully react, altering the impact of the policy in the process” (p. 317). Corruption is another factor contributing to policy failures (Damoah et al. 2018). Corruption by government officials can lead to mismanagement and underutilization of scarce resources, causing policy implementation and regulatory failures.

Policy learning

Policy learning, lessons learnt, etc., is ubiquitous in the field of policy studies because “the complexity of the world and inevitability of human error make learning essential for overcoming challenges that emerge when dealing with politics and public policy” (Moyson et al. 2017, p. 161). Thus, what policy learning entail is unlimited as

the formulation of public policies builds on learning from experiences of other policies, and the design and implementation of policies are constantly adapted over time through various feedback mechanisms. With these challenges, learning from past mistakes represents the hope that better policies will develop in the future.

(Moyson et al. 2017, pp. 161–2)

Defining policy learning and the levels of policy learning situates the discussion of ECG. Policy learning is simply about “adjusting understandings and beliefs related to public policy” (Moysen et al. 2017, p. 162). Following this simple definition, we have developed various levels and types of learning. For example, Heikkila and Gerlak (2013) distinguish between three elements of learning, namely, (a) the level where learning takes place, *i.e.*, actor or system level, (2) the process and products of learning, and (3) within-learning processes, which deal with the interplay between the acquisition of information, translation, and dissemination.

Dunlop and Radaelli (2013) identified four categories of policy learning. The first is “reflexive learning”. This is “characterized as ‘deep’ or ‘complex’ because it is the major mechanism through which actors adjust their strategies, and explore their fundamental preferences and identities” (p. 602). Actors learn from mistakes, improve their own tactics, and adopt/adapt from others as the policy process progresses. Second is the “epistemic communities” tradition. Here, “knowledge is deployed by a limited set of expert actors to narrow the discussion to reach a technical policy solution” (p. 603). Moreover, technical experts like lawyers, engineers, and economist use their mastery of a subject matter to demarcate and reach specific narrow policy decisions and objectives.

The third is “bargaining and social interaction” (p. 604). Here, learning is restricted to the main policymakers and bureaucrats and exists on a need-to-know basis where one needs a certain level of clearance or permission to participate. The fourth is the “shadow of hierarchy”, where powerful individual actors, organizations, and networks use their superior financial, technical, policy, and regulatory knowledge to exert power, control, and impose the pressure to learn on policy actors.

The dilemma of a ghost: privatization of the ECG

Privatization in Ghana traces back to the late 1960s when the National Liberation Council government decided to privatize some SOEs to shrink the state. However, this did not go far, as the government was replaced three years into office. In early 1987, however, and under the World Bank/IMF-backed SAP, the government of the Provisional National Defence Council embarked upon an extensive “rationalization of the SOEs sector through divestitures and mergers to reduce the financial and managerial burden upon government” (SEC 1995, p. 11). Under the program, SOEs were classified into core and non-core SOEs (SEC 1995). The core ones were to remain full public ownership or at least joint ventures. These SOEs were considered too critical to the national economy that their ownership must be firmly under state control. These included the ECG, GWSC, and a few others (SEC 1995). The government needed these SOEs to continue to provide key social services for those who could not compete fully in the marketplace. Furthermore, many Ghanaians saw these organizations as a symbol of national sovereignty; hence their divestiture, especially foreign buyers, was perceived as anti-nationalistic and a betrayal of their heritage (Danso 2008).

Conversely, non-core SOEs were eligible for full privatization, mergers or have some shares sold to others. They were non-core because their services and mandates were not considered critical to achieving the economy’s commanding heights. Their mandates were mundane and normal enough to be done by the market. The early phase of the rationalization process focused on ridding off about 30 such SOEs considered moribund and a drain on the national budget (SEC 1995). In all, from 1987 to 1998, about 313 SOEs were privatized (Danso 2008).

The utility sector and the ECG, in particular, was considered core and critical for national development. Therefore, the government attempted to reform the sector rather than privatize it – despite tremendous pressure from external sources. Unfortunately, various reforms hardly yielded the needed results. The pressure to privatize the ECG, in particular, surged from 2014 when the country faced a debilitating power crisis, which seriously affected economic growth. The financial cost of the power crisis amounted to millions of dollars in 2016 (Ohemeng et al. 2019). In response, the government signed the Ghana Power Compact (Compact) with the US government to privatize the sector in 2014 under the US government’s Millennium Challenge Corporation (MCC) initiative. Accordingly, a total grant of \$498,200,000 was to improve the sector, and \$308 million was for critical reforms under Tranche I (MCC 2014). The reforms included infrastructure improvement, increased reliability and access to critical markets, and advanced energy efficiency programs to benefit people and markets directly.

The remaining \$109 million was held by the MCC to be released upon completing the reforms and privatization of the ECG. Thus, the government had to privatize ECG to access the rest of the \$109 million. On privatization, the government considered the power crisis the poor mismanagement of the ECG, the inability to accurately and adequately price electricity and collect tariffs from users, causing financial distress. Hence, the solution was to privatize and bring private entity with expertise and comparatively better technology to manage the ECG.

Moreover, the government tasked the Millennium Development Authority (MiDA) to implement the GPC. The MiDA, with the support of the MCC, contracted the IFC to conduct a study on ECG, provide due diligence, and recommend the nature and type of divestiture of the ECG. The IFC recommended that before Ghana could access the first tranche of funds, MiDA should call for Request for Proposals, inviting private sector organizations to participate in the electricity sector. This was eventually done, and six companies were shortlisted to bid for the company and this enabled Ghana to reach a set deadline to trigger the Compact.

After several bids, the government selected Meralco of the Philippines as the concessionaire and to satisfy the local content requirement under the GCP, and the PDS was incorporated to operate and manage the assets of the ECG with the following shareholding: Meralco (Philippines) – 30%; A Energia S.A. (Angola) – 19%; and GTS Engineering Services of Ghana, Santa Baron Ventures of Ghana, and TG Energy of Ghana – 51% (MoF 2019).¹ The ECG transfer was completed in 2018, with the signing of a 20-year agreement with PDS, which took effect on March 1, 2019. Also, the MCC transferred \$190 million to Ghana (MoF 2019). Procedurally, a Programme Implementation Agreement (PIA) was enacted by the parties to the Compact, further detailing its implementation (MoF 2019). Accordingly, a Lease and Assignment Agreement (LAA) and a Bulk Supply Agreement (BSA) between the ECG and PDS in 2019 were signed (MoF 2019). Finally, a Government Support Agreement (GSA) known as the “Transaction Agreement” was entered into between the government and the PDS.

Both parties hailed the PDS as having the ability to achieve lasting economic growth and reducing poverty through increased private sector investment (MoF 2019). Despite these high hopes, on October 19, 2019, the government informed the MCC of its decision to terminate the concession agreement with PDS mainly because of the underperformance of PDS. PDS could not bring the needed efficiency it had promised. Second, it could not solve a key issue underlying the privatization of the ECG, *dum sor – dum sor* or *dum dum sor*. PDS’ performance was so bad that Ghanaians decided to use a popular local song: “*me yere dada*,

san be ware me” – (i.e., *my old wife, please come back to me*) call back the ECG. To wit, they were calling back the old wife, the ECG, due to the poor performance of the “new wife”, PDS, in a humorous but serious way.

Moreover, massive corruption involving the deal surfaced. For instance, PDS had failed to “satisfy conditions precedent under the relevant transaction documents” (MoF 2019). Conditions Precedent 24 and 31 under the agreement required PDS to furnish the ECG “payment securities in the form of either a Demand Guarantee (DG) or a Letter of Credit issued by a Qualified Bank” (MoF2019). PDS failed to provide this. Instead, it formally requested MiDA to accept a DG issued by an A-rated insurance company, which the MiDA accepted contrary to standard contract practices.

Consequently, PDS submitted the payment securities in the form of DG issued by a Qatari insurance firm, *Al Koot Insurance and Reinsurance* (Al Koot), on February 27, 2019, two days before the transfer date. This was later found to be fraudulent (MoF 2019). Al Koot denied providing any demand for securities for the deal and that the documents provided by PDS and approved by MiDA were fake (MoF 2019).

Besides, in the urge to satisfy the local ownership aspect of the contract, the PDS was hurriedly put up by people who had no expertise in the power sector but are instead connected to high government officials, including those at the presidency, which led to the concession given out without due diligence. The situation became so embarrassing to the government that it terminated the contract agreement with PDS and renationalized power supply, despite vehement opposition from the MCC.

Policy learning and policy failure: the botched ECG privatization

As previously mentioned, five reasons impeded policy learning and led to policy failure in the botched ECG privatization as follows.

Coercive policy imposition

Coercive policy imposition in the forms of policy transfer or diffusion often results in policy failures in Africa. Coercive policy diffusion is “when powerful [*policy*] actors such as governments and international organisations influence the policy choices of governments” (Appuhami et al. 2011, p. 433). Coercive policy diffusion is compliant and seeks adherence to well-defined policy prescriptions while relying on sanctions to induce compliance (May and Burby 1996). An important element of coercive policy diffusion is “conditionality” in the form of financial assistance that serves as “the commitments contained within a loan or grant contract that developing countries must adhere to if they are to receive all or part of the funding” (Kovach and Lansman 2006, p. 6; also see, Chapter 29 in this volume for a detailed discussion on this in Uganda).

Therefore, policy adoption through transfer or diffusion is not always internally motivated. Policy compliance and the lack of internally generated motivation do not lend to policy learning, as illustrated in the privatization of ECG. The privatization of ECG has never been internally motivated. While it is accepted that ECG has problems, these problems do not emanate from the lack of effective management from Ghanaians, but rather from the “politicization” of electricity by the government through poor tariff setting, managerial interference, as well as government’s failure to meet its financial obligations to the company.

Given these problems, the company has no finances to build its administrative capacity and invest in electricity generation and distribution. The United States simply drove the privatization of ECG with its financial power through the MCC and Power Africa. By signing

the Compact, the Ghanaian government had to comply with the subsequent conditionalities. It could not reject the privatization considering the threats by the US government if they abrogated the PDS deal. Thus, even if the government had learnt from the various privatization botches, it could not prevent privatization as policy diffusion from the US government believes in less government to enhance the liberal market irrespective of the consequences of such policies on the poor Ghanaians.

Budgetary constraints as a constriction to policy learning and failure

The difficulty in reallocating limited resources to the developmental needs of the state hampers the decision-making of governments in Africa. The budget constraint affects governments' ability to make choices on money growth, interest rate, borrowing, taxation, and, most importantly, on spending, thereby forcing them to borrow heavily, beg for financial assistance, and aid from developed countries and International Financial Institutions (IFIs). These assistances come with "conditionalities" or policies that recipient governments must undertake. These policies reflect the ideological positions of the given countries and the IFIs that are "coercively" diffused to recipient countries with less consideration of the latter's aspirations.

Budgetary constraints have animated policy processes in Ghana since the early 1960s. For example, following budgetary constraints, the PNDC government adopted the SAPs in the early 1980s in compliance with the conditionalities for budgetary support. As the aphorism goes, "*he who pays the piper, calls the tune*". The payer of the piper, so to speak, does not enable the dancers to learn from previous mistakes and develop their own policies. This situation also explains the privatization of ECG. The government's inability to internally generate funds to finance development in the energy sector despite significant demands and the politicization of the sector forced it to sign the Compact to get essential money for the sector. Therefore, unless such budgetary constraints are overcome with internally generated funds, governments in Africa will continue to be subjected to policy transfer without learning from previous policy failures such as privatization.

Weak administrative capacity of government

Administrative (bureaucratic) capacity is *sine quo non* for achieving policy success and preventing policy fiascos (El-Taliawi and Van Der Wal 2019). Administrative capacity deals with the state's bureaucratic capabilities in developing and implementing policies in the public interest. The state achieves its developmental needs with a strong administrative capacity that can learn from policy fiascos. Nevertheless, weak administrative capacity in many African countries does not lend to policy learning. Thus, they cannot develop policies or effectively implement those developed, resulting in policy failure. Ghana suffers from weak administrative capacity due to several factors that create a "breeding ground for pathogens that undermine learning" (Dunlop 2017, p. 25).

The inability of the Ghanaian bureaucracy to develop effective policies has led to "sub-contracting" policymaking to politicians, who may have little know-how in policymaking, and international policy actors, who may not understand the general Ghanaian environment. These undermined organizational learning in the case of the privatization of the ECG. For instance, during privatization, the government tasked the IFC, instead of the state bureaucracy, to study the privatization model or form the privatization. Similarly, MiDA is politically staffed without strong capacity and limited knowledge to undertake any

meaningful discussion and reform of any public entity, less a complex organization like the ECG.

Policy politicization and the failure of collaborative policymaking

Policy politicization as the failure of the government to engage in “collaborative policymaking” oftentimes leads to policy failure. Policy politicization occurs when the government restricts policymaking to party loyalists and fail to engage other stakeholders, thereby crafting policies in siloes that politicize the policymaking process. Collaborative policymaking involves the engagement of various stakeholders to design and analyze the decision problems through a series of iterative steps through policymaking process. This iteration process leads to policy dialogue, which many have described as more beneficial than the traditional top-down and bottom-up approaches (Ansell et al. 2017).

Still, engaging policy stakeholders, especially sensitive policies, is not the norm in Ghana. Instead, policies are continuously undertaken by a small group of politicians and bureaucrats, who are friendly to the government’s cause. In some cases, debates of such policies are shut down in parliament, or the executive deliberately withholds vital information from the opposition and uses its majority to enact policies. Policy dialogue is not adequately undertaken. The ECG privatization also shows that the problem can arise when different voices are not heard. Those who might have learnt lessons from previous policy fiasco are limited in participation in policy deliberation.

While the current government had opposed the lack of transparency by the previous government while in the opposition, it took the same route in enacting and implementing the decision to privatize the company. Consequently, the policy was characterized by strong “misunderstandings of the problem, insufficient knowledge of the context for its solution, vague and contradictory goals, a mismatch between means and ends, and an incomplete strategy for execution” (Ansel et al. 2017, p. 417). Vital lessons from previous policy fiascos and knowledge from experts who are not government officials and stakeholders like Think tanks, who have extensively researched electricity privatization, got lost to the government, as there was no bargaining or consensus over the design and implementation of the program. This failure, therefore, led to poorly designed policy and implementation processes.

Elite corruption, learning, and policy myopia

Evidence on policymaking in Africa shows that the elite are mostly interested in what they will privately gain from such policies rather than the general benefits to society. The motivation to privately gain from public policies, therefore, clouds their senses, leading to the development of policy myopia, a phenomenon described as “the difficulty of seeing far enough into the future to discern its general shape and contour in enough detail to be able to anticipate and plan in the present properly” (Nair and Howlett 2017, p. 104).

In some cases, corruption and policy myopia manifest themselves in patronage and political capture, leading to misaligning policies for electoral advantages, leading to policy failures (Brass et al. 2020). The privatization process of the ECG also illustrates this point. The political elite became interested in what they would privately gain from such divestiture (e.g., Brass et al. 2020). This is manifested in how the privatization process was undertaken, especially in the setting up of the PDS. Evidence shows that the PDS was a non-existing company in 2017. It was hurriedly created by people highly close to the political executive to bid for the concession (Frimpong 2019).

Besides, the largest local shareholder, TG Energy Solutions Ghana (connected to some high government officials), which had 18% shares in PDS, had a questionable record in the energy business (Mallory 2019). Furthermore, it is believed that the malicious intent of corruption might have increasingly led to the sudden increase of Ghanaian equity from 20% to 50%. It is argued that this increase led to the withdrawal of four of the six shortlisted companies in the competitive tendering process, which eventually resulted in the single sourcing of the 20-year concession to Meralco.

Conclusion: policy recommendations for practitioners

Scholarly interest in policymakers' learning from policy fiascos continues to be of major interest. The *raison d'être* is that such *learning provides valuable lessons for future policymaking and minimizes policy failures*. Unfortunately, learning from past policy failures does not seem to be the norm in most African countries. Therefore, the privatization fiasco of Ghana's ECG identified several factors that constrain African policymakers from policy learning. We indicate that addressing these issues will significantly enhance policy learning and minimize policy failures in countries struggling with similar challenges. Therefore, policymakers should consciously examine how to navigate the contours or realities of policy imposition, budgetary constraints, weak public accountability mechanisms, policy politicization, etc., to address policy learning deficits in the public sector, especially in designing public policies. Failure to do so will continue to lead to policy failures, which is detrimental to the continent's development.

Note

- 1 The 51% local ownership was a requirement from the TUC, which had originally opposed the deal. This helped to the deal to win their support and also assuage the fear that ECG was been sold to foreigners.

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PART VII

Implementing education policies in Africa



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INVESTING IN THE PEOPLE? ANALYSIS OF EDUCATION POLICIES IN ANGOLA

Francisco Miguel Paulo

Introduction

With the increasing demand for more attention to *the people* rather than structures to enhance citizen-oriented policy reforms and development in all sectors, most African countries have developed comprehensive and locally driven National Development Strategies (NDS). This has been mainly in response to the perpetual economic, social, and social-political hindrances. Although this is not a new trend, most governments in Africa are hardly doing enough to *invest in their people*, primarily through improved universal healthcare and education services or when it comes to *mobilizing the economic and professional potentials of their population*. According to a 2019 World Bank report, three in ten fourth-grade teachers in Africa had hardly mastered the language of the curriculum they were teaching (World Bank 2019, p. 55). The same picture is painted regarding the personnel capacities in health and other critical sectors for human capital development and social protection policies across Africa. The challenge, argues the report, mainly lies with misspending by most governments like “spending more on the politically visible aspects of human capital such as constructing schools and hospitals but much less on intangible aspects—such as the quality and competence of teachers and health workers” (World Bank 2019, p. 54). The clarity of policy outputs or objectives for sectors such as health and education has also been frustrated by political campaigns that give little attention to *actual learning levels or stunting rates* in the education and related sectors.

These policy experiences are hardly unfamiliar to Angola, a country that just less than two decades ago emerged from one of the longest civil wars in modern African history. Despite this, like most countries in the region, Angola is also quickly being integrated into the global pressures to build better public service delivery systems by implementing reform paradigms like, New Public Management (NPM), New Public Governance (NPG), and related governance strategies to improve policy effectiveness. As already mentioned by different contributors to this volume, these pursuits have also come with radical transformations and redefinitions of the state’s role in Angola, influencing its public policy systems and processes. Even though these transformations may require unique institutional capacities that take time to master and oftentimes happen through trial and error under democratic political stability

(Onyango and Hyden 2021), policy tools like Human Capital Index (HCI) require countries like Angola to achieve quick results in the areas of health and education. This chapter assesses these efforts by evaluating education policies in Angola based on the World Bank's HCI, 2019. Doing so identifies salient policy challenges and implications in the education sector.

Founded on the recognition that investment in human capital is crucial for improving the living conditions of societies, the World Bank created HCI to quantify “the contribution of education and health to the productivity of the next generation of workers”¹ in a given country. Human capital consists of skills or capacities, knowledge, health, and resilience that people have accumulated over the years, making them more productive and innovative. The quality of human capital depends on investments in nutrition, healthcare, education, and the creation of decent work opportunities. The HCI additionally quantifies the level of productivity that a child born today will have at the age of 18, based on the quantity and quality of education and health that that child can enjoy in that country.

Measured against HCI, Angola, like many Africa countries, has relatively underperformed in investing in its people. Like most countries in the region, the country struggles to overcome perpetual and intricate social and economic challenges besides dealing with the political legacies or ramifications of the 27 years of civil war on its socio-economic and political pillars. The impact of these legacies or challenges has been more prevalent in the education and other social policy sectors, which are critical in the development of Human Capital and implementation of social protection policies. Retrospectively, in March 2019, the Angolan government discussed the drafting of the Human Capital Strategy.

According to Pedro Luis Da Fonseca, the Minister of Economy and Planning, this was based on the fact that despite investing in its people as per the National Development Plan for 2018–22, there has been no “significant impact on the formation of human capital so far. The Human Capital Index (HCI) of 0.36 for Angola points to a dramatic loss of potential.”² This observation puts into context the purpose of this discussion. The main question is: what are some policy challenges that constrain human capital improvement through investment in the education sector in Angola? The chapter is structured as follows: first, it presents historical developments or critical junctures in the development of the education sector while keen on education policies. Second, it presents the HCI as a framework for quantifying education policies in Angola. This is followed by a presentation of results, the discussion, and conclusions.

A brief history of Angola and education policy

Angola gained independence from Portugal on November 11, 1975, after approximately 500 years. Although shortly thereafter, the country plunged into a 27-year civil war. With ravaging political instability, the country unsurprisingly had no meaningful policy venues or stable public institution/service delivery systems. There were no viable economic activities besides diamond mining and petroleum extraction. Notably, these sectors were uniquely active primarily because they sustained the financing of the war between the Popular Movement of the Liberation of Angola (MPLA) and the National Union for the Total Independence of Angola (UNITA).

Therefore, until after 2002, the country practically lacked effective governing mechanisms and governance environment to formulate and implement citizen-focused or donor-led public policy processes. However, this does not mean that no policies were implemented during the war. Still, the civil war generally created a period of paucity in the development of appropriate governing structures leading to the difficult circumstances that

made citizen-focused policymaking almost impossible. But, the post-war period, gradually ushered in optimism in policymaking due to the reigning peace or relative political stability. Since then, different governments have relatively initiated the needed economic and social policies processes. The section that follow traces the evolution of the education sector policies since the colonial days.

Education policies in the colonial period and after the independence

The colonial regime was hardly interested in empowering local people with formal education, fearing that it could stir pro-independence movements. During the colonial era, formal education provided by the colonial regime was primarily available to white and people of colour. The vast majority of black people did not have access to formal education. Zasala (2012, p. 25) characterizes the colonial education system as elitist and alienating, favouring white and coloured people in government programmes and policies. Church Missions, both the Catholic and the Protestant, provided formal education to some black people. Like in colonial polities across Africa, blacks who acquired some levels of education or *assimilados* in Angola occupied the lowest ranks in the colonial administration and accessed some basic services (Teixeira 2006, p. 73).

Samuels (2011, p. 21) documents that the Portuguese colonialist viewed Africans and their culture as inferior to Europeans. Therefore, there was a need to change African lifestyle and culture by, taking as a standard the European life style. The Catholic Church priests served as the means for this transformation. They taught religion and basic education. At the parishes, the priests taught the Portuguese language, Christian doctrine, and basic maths mainly to the sons of the traditional local authorities. The Catholic Church also had a powerful influence over the Portuguese monarchy government and influenced some colonial policies. Following the end of the monarchy in Portugal and the establishment of the republic in 1910, the new government took control of the educational system, and more schools were built. The teaching of religion was replaced by civic education. In the colonies, the changes were not immediately implemented. Some Portuguese born in Angola saw the need to foster education among local people and mobilize administrative workers and merchants to teach at schools. Students were taught Portuguese grammar, math, geography, history, agriculture, industrial subjects, and health that enhanced Portuguese welfare. Most subjects were related to the bible and religion and writing and reading in some local languages at the church schools. Nevertheless, few people had access to these schools.

Ngaba (2012, p. 121) reports that by 1941 Portugal allowed all colonies to have secondary schools, called *Liceus*, that taught elites, preparing them to go to the universities in Lisbon, the empire's capital. There were also technical schools for those who were not able to attend the *Liceus*. In 1962 the colonial government established the higher education system in Angola that started to operate in 1963. Between the 1950s and 1973, the colonial government sought to promote economic development. This involved extending the education system to the black population in the entire country to show the international community that they also had the opportunity to learn. Yet, it was also a form of suppressing pro-independence forces mainly motivated by the prevailing colonial injustices. By the end of the colonial regime, it is reported that 85% of the population was illiterate (Ngaba 2012, p. 130). The population was about 4.5 million people. And 512,942 students were enrolled in primary school and 72,000 in secondary school, and 4,176 students in higher education (Zau 2015, p. 375).

The post-independence education system

After independence on November 11, 1975, the MPLA government adopted communist doctrines to universalize education. Although, the civil war would shortly begin because of disagreements between the three movements that fought for independence (MPLA, FNLA, and UNITA). In the first years of independence, the colonial education system continued until 1977 when MPLA held its first convention and declared that the educational system would be changed in harmony with the “fundamental principles of the MPLA”. According to the official Gazette of 1977, the Ministry of Education was given the responsibility to structure the teaching system of the country in line with the principle of the party; to educate all population in the country; to allow all children to get access to schooling; to train and recruit sufficient teachers to universalize the education system in Angola; and to improve continually the teaching quality (Angola, *Diário da República* 15 Março 1977, articles 1 and 21 cited in Ngaba 2012, p. 132).

Zau (2015, p. 388) argues that after implementing the first Angolan educational system, in 1986, a diagnosis of the education sector found out that in each 1,000 pupils enrolled in the first grade, only 142 concluded the first cycle the primary school. There was no precise notion of the profile of the students that the country needed to have either in the regular teaching system or in the adult teaching system. Between 1981 and 1984, about 10,000 teachers left the Ministry of Education due to low salaries, armed conflict, and deficient social conditions leading to the importation of teachers from Cuba, Vietnam, Russia, and other countries to teach in secondary schools.

According to Zau (2015, p. 390), after negotiations with the World Bank on funds for institutional strengthening of the education sector in Angola, room for inclusive dialogue was created – for example, the *Round Table on Education for All* with civil society in 1991 and a *Sectorial Examination of Education* in 1992. From these forums, two primary documents were produced: the *National Framework Plan for the Restructuration of Educational System in 1995* and the *Integrated Strategy for the Improvement of the Educational System in 2001*. Based on these, the first law of the education system in Angola (Law 13/01 of 31 of December) was approved as the main normative tool for implementing the reform of education sector in Angola. In 2016, the Parliament approved a new law, i.e., Law no. 17/16 of 7th of October 2016, to be aligned with the Constitution approved in 2010, replacing the former law 13/01. Table 34.1 summarizes the main changes in education sector and the structure of the general education system in Angola since colonialism.

Post-2002 education policies

Since 2002, successive governments in Angola have concentrated on the reconstruction of essential infrastructures throughout the country. For instance, from 2002 to 2018, the Angolan government disbursed more than USD 113 billion in public investment programmes to reconstruct the country (CEIC-UCAN 2018). In this period, the expenditure on the education sector was USD 38.8 billion and an average of USD 2.28 billion per year. These developments, however, have mainly been attendant to pressures and collaborations with donor organizations, notably, the World Bank. Expectedly, policymaking after the civil war has primarily aimed to improve the population’s living conditions and boost the country’s development by reconstructing basic infrastructures. Therefore, the government adopted the country’s first long-term development strategy in 2007 (*Vision, 2025*) or the *Estratégia de Desenvolvimento a Longo Prazo para Angola, 2025*.

Investing in the people?

Table 34.1 Evolution of the educational system in Angola

<i>Category/time line</i>	<i>Colonial</i>	<i>1975–2000</i>	<i>2001–present</i>
Education subsystems	Primary	Base education (regular and adults teaching)	Pre-school
	Secondary (liceu and technical)	Secondary (PUNIV and vocational training)	General education (primary and secondary)
	Teachers' training Higher education	Higher education	Technical training Teachers' training Adults' education Higher education
Structure of the general education system	Primary (1st–4th grade)	Base education (I level: 1st–4th grade; II level: 5th and 6th; III level: 7th and 8th)	Primary (1st–6th grade)
	Secondary (3–5 years)	Secondary (PUNIV: 9th–11th grade; vocational training: 9th–12th)	Secondary (I cycle: 7th–9th; II cycle: 10th–12th)
The role of the school	Social control (to educate for passivity)	Inculcate the Marxism–Leninism Ideology (social control of the state–party)	To develop the culture of peace in light of democratic principles
	To keep under control the unity of the colonies	Technical functionalism	Technical functionalism
		National unity keeping	Fight against epidemics such as HIV
Literacy rates	15% in 1975	30% in 1997	68% in 2018

Source: Adapted from Ngaba (2012, p. 170).

The Vision 2025 identifies six priority axes to guide the critical policy sectors in the country: (i) Ensure Development, Stabilization, Reforms, Social Cohesion, and Democracy; (ii) Promote the Expansion of Employment, Human, Scientific, and Technological Development; (iii) Recover and Develop the Development Basic Infrastructures; (iv) Promote the Development of Economic and Financial Sectors and Competitiveness; (v) Support the Development of the Entrepreneurship and the Private Sector; (vi) Promote National Cohesion and Territory Development. In Vision 2025, the government links the nation's social well-being to five main areas: food security, education, health policies, social protection, and habitat (housing). The document presents the main overall policy objectives and specific goals related to the level and kind of formal education offered to the population.

One of the main objectives was to increase the adult literacy rate from 42% in 2000 to between 75% and 85% in 2025, increase the gross enrolment rates (from 1st grade to 9th) from 48.4% in 2000 to 75% and 85% in 2025, increase the higher education enrolment rates from 0.7% in 2000 to 11% in 2025, and reduce the students/teachers ratio from 35 in 2000 to 20–25 in 2025. In Vision 2025, the value chain of the educational system presented from primary to secondary and tertiary education. This value chain also underscores the vocational training of the youth to prepare them for teachers' work market and capacity-building.

Although like other policy strategies in Vision 2025, education policies are hardly implemented as was planned. Therefore, following such an observation, this chapter makes assessment of the implementation of education policies.

Methodology

Measuring investing in the people: the Human Capital Index framework

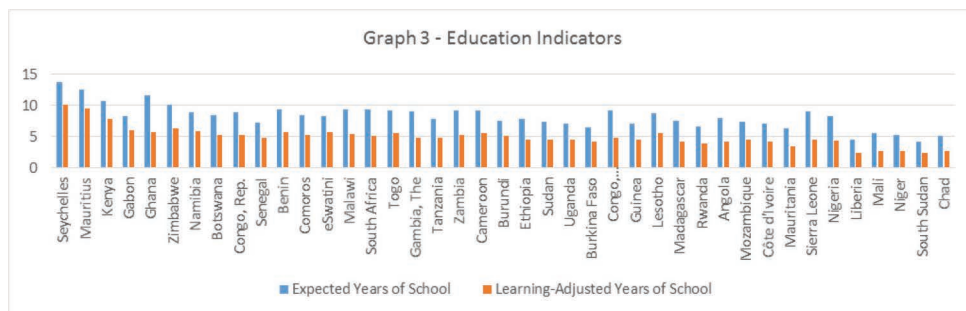
The World Bank computes the HCI for 157 countries covering all continents. For Kraay (2018, p. 2), “HCI is measured in units of productivity with a reference or benchmark of complete education and good health, and it ranges from 0 to 1. A value of Y in the HCI indicates that a child born today can expect to be only $Y \times 100\%$ more productive as a future worker if enjoy complete education and total health”. The closer to 1, the higher the level of human capital, the higher the future worker’s expected productivity. Values close to zero indicate lower productivity and a low level of human capital. This is calculated as follows: combining the two factors (education and health), the HCI is calculated taking into account the following equation: $HCI = p \cdot e^{\Phi E} + YH$, where p is the probability that a child born today will survive, E the level of education, and H the level of health. Φ and Y are parameters that measure the impact or return of an additional education and health unit on the level of productivity of human capital. In calculating the HCI, Kraay (2018) estimates that $\Phi = 0.08$ and Y depends on several factors such as height, the probability of survival for adulthood, the level of physical, emotional development, etc.; for details on the value of parameter Y , see Kraay (2018, p. 47).

Following the above methodology, recent results and ranking were published in the World Development Report 2019. In analysing the efficiency of education policies pursued by the Angolan government, data on the Human Capital Index are used to see the outcome of these policies. It is assumed that countries with better education policies would have a higher human capital index and vice versa. The Asian countries dominate the list of the top countries with the highest HCI globally. Singapore leads with the highest HCI (0.88), which means that a child born in Singapore today can expect to be 88% more productive as a future worker at 18 as if s/he enjoyed complete education and total health. Japan and South Korea both have an 84% rate; Hong Kong is in fourth place with 82% HCI of the future generation.

The Angola position as per HCI in education vs. other African countries

Out of the 41 countries in sub-Saharan Africa studied in the World Bank Human Capital Project, Seychelles has the highest level with 68%, followed by Mauritius with 63%, Kenya with 52%, Gabon 45%, Ghana and Zimbabwe with 44% and 43% respectively. Angola, with 36%, appears in the last places together with Mozambique (36%), Côte d'Ivoire (35%), Mauritania (35%), Sierra Leone (35%), Nigeria (34%), and Liberia (32%). The region’s average is 40%, well below the world average of 56%. Ghana, Ethiopia, and Rwanda were among the largest economies with the highest economic growth in Africa and the World in 2019, according to the World Bank (David Monyae in Cape Times 20/11/2019, p. 8). In terms of health, sub-Saharan children, in general, have many difficulties in accessing quality services. Moreover, many families in the region are unable to provide what is needed to feed their children. It is no wonder that the proportion of children under the age of five not stunted is only 68%; 32% of children are skinny. The average survival rate of young people to adulthood in the region is 73%, and in the world, it is 85%, while in Angola, it is 76%, which is

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Source: WDR 2019 team

Figure 34.1 HCI education indicators in Africa

Source: WDR 2019 team.

above the region but below the world average. In terms of expected years of schooling, the average number of years in this African region is 8.2 years. In Angola, it is eight years vis-à-vis the world's 11.2 years. Figure 34.1 captures the HCI education indicators.

The average year of schooling adjusted to learning in sub-Saharan Africa is 5, and the world average is 8.2 years, with Angola having a value of four years. As far as the harmonized result of the students' tests is concerned, of course, the country that has the best results at the regional level is Mauritius (473), followed by Seychelles (463), Gabon (456), and Kenya (455). It is no coincidence that the International Monetary Fund (IMF) decided to establish its regional training centre in Mauritius. The region has an average harmonized test score of 374 out of 625 possible, while the world average is 431 and Angola's 326, close to the mediocre. There is a need to invest seriously and consciously in human capital to ensure that children, the future generation of workers, have access to quality education and health.

Findings and discussions

Angola has a very low HCI (0.36), ranking 147 out of 157. If current conditions in the education and health sectors prevail, Angolan children born today will have productivity of only 36% because of poor access to education and health. The apparent labour productivity of current workers in Angola is already at alarming rates (CEIC-UCAN, 2019, p. 173), apart from the oil and diamond sectors that are very capital intensive. There is a decline in productivity in the health and education sectors. The national health system in Angola is weak. In many health units, the service is deplorable, especially in paediatric areas, where the ratio between healthcare workers and patients or sick children is currently worrying.

Box 34.1: Education system and expected learning outcomes in Angola

(1) Years of schooling expected of a child up to 18 years old (expected years of school by age 18): In general, a four-year-old child is expected to attend 14 years of schooling until the 18th birthday, that is, from pre-school to 12th grade. Unfortunately in Angola, most children,

from poor families, do not have access to daycare centres and kindergartens and are required by law to attend primary school only when they are six years old and when the age is completed by May 31 of the year of enrolment (Law No. 17/16 of the Education and Teaching Systems Base Article 27 No. 2). The situation is aggravated by the fact that there are few vacancies in this teaching subsystem giving rise to many children outside the system in almost all the national territory.

(2) Result of harmonized tests or exams (harmonized test scores): The harmonization of the results of the grades is based on various systems of learning assessment that exist such as the TIMSS (Trends in International Mathematics and Science Study) that assesses the level of learning of students in the subjects of mathematics and other hard sciences; and the PIRLS (Progress in International Reading Literacy Study) which is considered to be the worldwide standard for monitoring the level of reading comprehension, together with the Early Grade Reading Assessment (EGRA). In this harmonized system the maximum score that can be obtained is 625, representing excellence, and the minimum score is of 300, which means mediocrity in the level of education.¹

(3) Years of schooling adjusted to learning (expected learning-adjusted years of school): These are measured as the expected years of schooling multiplied by the ratio of each country's harmonized test score and a reference rating of 625, corresponding to the maximum score established by TIMSS. This adjustment makes it possible to measure the effective years of learning for each education and teaching system.²

Source: Author

The probability of a child reaching five years of age in Angola is 92% compared to other low-income countries (96%). The proportion of children under five years of age who are not stunted or skinny in Angola is 62%, which means 38% of children under five years old are skinny with serious physical and cognitive development. In low middle-income countries, the average percentage of children up to five years of age who are not stunted is 73%, which shows that Angola is relatively underperforming.

The National Institute of Statistic (INE) data shows a significant percentage of malnourished children under five years in Angola. The total number of children up to four years of age in the country in 2018 alone was 38%, forming slightly over 4 million (or 4,888,618) children up to four years old. Thirty-eight percent of this number corresponds to slightly over a million (or 1,857,675) stunted children in the country. This is equivalent to almost the entire population of the province of Kwanza Sul in 2014. Nutrition is essential to ensure a child's physical and cognitive development. However, the study shows that many families failed to guarantee quality food for their children across the country, which means a high rate of malnourished children in Angola. Not all children benefit from the school lunch programme, which is only for children aged six and over who get enrolled in public schools. Moreover, in Angola, a child can expect to obtain, upon completing 18 years of age, eight years of schooling, which in terms of learning represents only four years; that is, the eight years of education, adjusted to the levels of learning, are equivalent to only four years.

The average years of schooling expected in low-income countries are 10.4 years and the adjusted effective years of learning are 6.5 – higher than Angola. In general, tests' or exams' results reflect how much the students are learning what they are being taught. The tests or harmonized exams show that the maximum score of these harmonized tests is 625 points, and students in Angola obtained only a result of 326 points that is only 52%. The average for low-income countries is 391.4, which is 63%. The values presented reflect the reality of many students in the country, who, after finishing their respective levels of education, are unable to demonstrate effectively what they had learned. Higher education teachers complained about the quality of students attending the first years in the different courses that higher education institutions offer. The Ministry of Higher Education established a minimum average of ten values for admission to higher education, which demonstrates the low quality of most students who finish high school or the second cycle.

The policies and changing trends in education in Angola

The level of literacy in the country today is 68%, which means that Angola still needs to improve the literacy levels of more than 10 million people in the coming years. There are many children outside the education system across the country. The data referring to the number of student population enrolled at the various levels of education shows that there is still a lot of work to guarantee universal education for the entire population, as can be seen in Table 34.2.

The majority of children are still having limited access to education, considering that despite having over 4 million children under five years old, the average enrolment in initiation is only 710,000. The same is true for subsequent levels of teaching. Moreover, it is essential to note that not all students who attend primary school go to the first cycle (lower secondary school). Not all students in the first cycle go to the second cycle (upper secondary), which reflects failures or high dropout levels – as the average number of enrolment in primary schools is 4.9 million, in the first cycle 1.2 million and the second cycle only 424,000, and in the higher education 208,000 students. In the last public tender for access to the education sector for teachers, the government did not accept those who completed the Pré-Universitário (PUNIV) candidacy, as they do not have a priori skills that allow them to teach. Many municipalities with only PUNIV and young people are obliged to attend such a course given the absence of options.

PUNIV is a pre-university education created to facilitate the students' entry into the higher education system, as the pre-university course was done in three years, while the

Table 34.2 Students enrolled during 2013–16

<i>Year</i>	<i>Initiation</i>	<i>Primary</i>	<i>Lower secondary</i>	<i>Upper secondary</i>	<i>Higher education</i>
2013	677,155	4,682,733	1,075,639	474,673	225,304
2014	697,589	4,596,531	1,063,159	306,725	146,001
2015	722,785	4,895,529	1,213,517	440,287	221,037
2016	744,213	5,103,535	1,432,356	477,700	241,284
Average	710,436	4,819,582	1,196,168	424,846	208,407

Source: INE, Indicadores de Estatísticas Sociais 2011–16.

Table 34.3 Number of existing classrooms

Years	Primary (1st–6th grade)	Lower secondary (7th–9th grade)	Upper secondary (10th–13th grade)
2013	94,835	9,666	8,305
2014	59,538	10,523	5,097
2015	79,003	14,459	8,354
2016	80,474	16,097	8,805

Source: INE, Indicadores de Estatísticas Sociais 2011–16.

professional or vocational in four years. In this way, whoever did the PUNIV had access to higher education earlier, with the significant disadvantage of not having any specific training. If s/he did not get a higher education, only additional professional courses would allow the graduate to obtain some skills to find a job. Also, at the public tender to work for the government, a few young people seem to be accepted. This means that the Ministry of Education has to take the prevailing deficits seriously in the economic and social viability of the pre-university course in Angola. It is true that after the Peace process in 2002, there was an expansion in the level of enrolment of students in the whole educational system, and more schools were built throughout the country, increasing in this way the number of classrooms available for each level of education. Table 34.3 illustrates this trend.

The Ministry of Education has been implementing major programmes to reform the educational system. According to the Angolan Social Report of CEIC-UCAN, these include two main programmes: the “Progressive Implementation Plan of the New Education System (2005), (or the Decree no. 2/05, of 14 January 2005 implemented under the Law no. 13/01 of 13 December of 2001). This law aimed at facilitating the transition from the education system that has been in force since 1977 to the new educational system whose execution ended in 2012, as well as ushering in the Implementation Plan of the Guidelines for Improvement of the Higher Education Subsystem Management (2007) executed until 2015 (CEIC-UCAN 2015, p. 85). One of the main changes in the general educational system, the one preceding the higher education, is the length of the primary school from first to sixth grade, whereas before it was from first to fourth grade. The secondary education was divided into two cycles: the first cycle is the lower secondary school (seventh to ninth grade); and the second cycle, the upper secondary school (tenth to thirteenth grade).

Primary school reforms also introduced the single-teacher system where, from first to sixth grade, a single teacher taught all the subjects. This posed a big challenge, especially for the fifth- and sixth-grade students. Unfortunately, the teachers were unprepared or untrained to teach all the subjects. For example, many teachers teaching geography or history in the fifth and sixth grades were also required to teach mathematics, science, Portuguese language, and all other subjects. Unsurprisingly, the single teacher system negatively impacted the students’ learning process, affecting the upward value chain of the educational system. Lack of teacher training marred the reform process. When it comes to the Improvement of the Higher Education Subsystem Management, the government divided the country into eight academic regions creating seven new public universities besides the Agostinho Neto University. The objective was to offer higher education, covering all provinces aggregated into regions with the respective university.

Pertinent challenges to be addressed

Several policy challenges arise from the above findings as follows:

Insufficient facilities and relatively higher levels of illiteracy among women: Even though education reforms contributed to the tremendous expansion of education in Angola, allowing more people or students access to education and existing facilities are still insufficient. Angola's average population growth is 3.2% versus a fertility rate above five children per woman; hence, there is a mismatch between the development of school infrastructures and population growth patterns. Perhaps this explains why millions of children are out of school, which seems to be surging with the population growth in Angola. One way of addressing this is to encourage women empowerment by creating conditions that would enhance access to education for women in Angola. Indeed, an educated and employed woman would be more conscious about education besides being able to educate the child. In Angola, 43% of women aged 25 and above have not attained any schooling compared to 18% of men in the same age group (ISS's March 18, 2020, p. 13).

Institutional capacity and coordination challenges: To Zau (2009), one of the main reasons why the Angolan Ministry of Education is not able to expand and make available the education to all category of citizens is the total dependency of this ministry on other ministries such as Construction (to build schools and other infrastructures), Finance (to get the funds), Industry (to get the equipment and other school material like), and Planning (to get the development indicators). Besides, a lack of effective coordination mechanisms between these ministries within the government negatively affected education reforms and access to education. In particular, coordination deficits are common during the implementation processes, thereby frustrating existing systems for efficiency, responsibility, and accountability in the education system.

Lack of consultation: One particular issue that also represents a challenge to the Ministry of Education is that at the provincial and municipal levels, the directors, principals, and other local education authorities are selected or appointed by the local administration without any consultation from the Ministry overseeing the sector. This has caused several management problems, such as the double subordination problem where the principal or director has to follow both the guidance from the Ministry and that from the local authorities, which leads to confusion and power-related inter-agency conflicts. Other stakeholders in the education sector are also loosely involved, if at all they are engaged by the local government authorities.

Challenges of attracting and retaining competent and skilled teachers/staff: The education sector struggles to attract, recruit, and retain talented teachers due to a lack of adequate payment and other incentives. What is happening now is that most of the recruited teachers are not well trained as teachers and they are unable to find employment in other sectors. Therefore, the rising demand in the education sector makes it the only alternative for untrained and unemployed youths to find employment in public or private schools. Still, when they get better offers that match with their expertise or acquired skills in teaching, these recruits desert for better-paying jobs, especially in private companies, as well as to other government agencies.

Conclusion

Despite notable constructions and equipping of schools and hospitals in Angola, these sectors are still struggling. This chapter looked into this state of affairs in education sector. The government has invested more in physical infrastructures but less sufficiently in the professionals who should ensure effective service delivery in education sector, as all others like hospital or healthcare. More investments are needed to train teachers or health professionals in Angola to build the policy capacity that would enhance implementation of education and related policies effectively. These should involve short-term, medium-term, and long-term training objectives. Therefore, to refocus investments in education and related sectors, the *policy recommendations can include*: (i) a possibility of reverting PUNIV to medium technical or vocational courses in several areas. This will enable students to acquire the necessary skills for work. (ii) The national education system should align with the country's economic and social growth and development challenges, e.g., population growth and demands needed in both the private and public sectors. (iii) More strategic policies should be drafted to attract, recruit, and retain teachers throughout the country to ensure quality universal education and create more productive future workers. (iv) The coordination within the government between the policy hosting ministry and other government agencies should be improved. This can include creating coordination units/agencies to monitor implementation processes and address accruing challenges, mainly deficits in policy communication and inter-agency conflicts.

Notes

- 1 <https://www.worldbank.org/en/publication/human-capital>.
- 2 See The World Bank (March 27, 2019). Angola prioritizes investment in people <https://www.worldbank.org/en/news/feature/2019/03/27/angola-prioritizes-investment-in-people#:~:text=The%20Human%20Capital%20Index%20of,economy%20in%20Sub%2DSaharan%20Africa>.

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PUBLIC-PRIVATE PARTNERSHIPS AS PREDICTORS OF SUCCESS

Lessons from the education sector in post-war Liberia

Samuel Toe

Introduction

In 1964, President William V.S. Tubman articulated the Government of Liberia's (GoL) policy regarding the new role private financial capital must play in Liberia's social development. Tubman declared that in order

to evolve a better standard of living and to ensure the happiness, peace and security of the people [of Liberia]... where the overwhelming portion of the ownership of the factors of production is in private hands, private enterprise and business must assume this responsibility, and Government will require management to provide the facilities implied with such ownership to supplement and complement those provided by Government—*Fifth Inaugural Address*, Jan. 6, 1964.

(Guannu 1980, p. 364)

This policy reflected a fundamental shift in the new post-WWII milieu in traditional public-private partnerships (PPPs) in Liberia and globally. Consequently, private financial capital would now be directed towards advancing what Ruggie termed “legitimate” and “just social causes” (1984). This chapter examines PPPs’ performance in post-war Liberia from 2004 to the present in attaining the social outcomes, namely, education, and its effectiveness as a predictor of policy success.

Background

Post-war Liberia has witnessed tremendous international humanitarian interventions intended to subsidize national recovery and restart economic development after 14 years of civil war. This post-war period also coincided with the two-term leadership of Africa's first elected woman president, Madam Ellen Johnson-Sirleaf (2006–17). Johnson-Sirleaf forged strong partnerships with international financial capital, financial institutions (IFI), and major Western donors, particularly the United States, Liberia's strongest Western ally.¹ This chapter focuses primarily on the PPP model's role in delivering secondary, technical, and vocational education and training (TVET) in Liberia's post-war milieu.

Like other African nations, PPP transactions have remained central to post-war (human) developmental and key social outputs, emerging as a cardinal public policy strategy for rebuilding and expanding transport and energy infrastructures following wars (PRSP I, 2008, pp. 99,135). In its penultimate policy guide, the GoL announced a firm commitment to PPP for “directly financing the construction and maintenance of quality infrastructure and their management” to “reduce transport and energy costs for non-resource sectors and make dependence on foreign aid and loans no longer necessary” (*AfT*, 2012, p. 10). New emphases were placed on health and education benchmarks “in a mutually motivating effort between public and private provision and partnerships” (*ibid*). However, a careful review of the policy landscape in the education sector suggests that despite its appeal and reported efficacy, the PPP model is not by itself a sufficient predictor of policy success. Thus, it must provide essential provisions for local content (i.e., participation and ownership) and long-term sustenance to lessen the risk of eventual failure. This observation comports with evidence from both past and present PPP transactions in Liberia, as examined later in this chapter.

The next section of this chapter discusses key conceptual elements of PPP arrangements. It provides an overview of the legal and institutional frameworks governing these arrangements in post-war Liberia. This is followed by a historical contextualization of PPP development phases in Liberia (in the broader sense of the term). The section also examines past PPP outcomes and the often unspoken ideological currents driving those arrangements. The last section discusses new avenues for PPP transactions in the social sector, specifically in education.

Key concepts

The history of “public”-“private” partnership (PPP) is as old as human societies. However, PPP is narrowly defined within its contemporary use of private commercial capital and actors’ presence or participation. This particular connotation harkens back to Western societies’ earliest development when a clear distinction began to emerge between the “public” and “private” spheres of society (e.g., Weber 1978). However, Carroll and Steane (2000, p. 36) have argued that this “private” cum “public” dichotomy is arbitrary. They argue that the dichotomy is often intended to meet specific authors’ and policymakers’ particular needs. They argue that there is hardly ever any “clear distinction between the public and private realms” of society (p. 36). The authors, therefore, adopt a comprehensive definition of PPPs that accommodates the wide range of potentially conceivable actors, types, purposes, and legal frameworks involved. Accordingly, they define PPP as agreed-upon cooperative ventures for a set of specific outcomes (economic or social). This involves *at least one public* (i.e., state or government entity) and *one private-sector* institution (e.g., businesses, firm, community organization, NGOs). However, despite this comprehensive (and arguably more accurate) conceptualization of PPP, the term continues to be narrowly defined in reference to private commercial capital and actors, working exclusively or jointly with government and other public entities.

Post-war PPP landscape

Following Liberia’s civil war, the dire social, economic, and security emergencies implied that a greater focus would initially be placed upon security and humanitarian concerns. Also crucial was the restoration of public services, poverty reduction, job creation, and a modest private sector expansion (GoL-*PRS* 2008; GoL-*AfT* 2012). With gradual improvements in

general security and the economy, attention soon shifted towards more development-oriented initiatives and foreign direct investments, with PPP as an important (and often preferred) policy approach in the traditional growth sectors of mining (in iron ore, diamonds, and gold), agriculture (i.e., rubber, palm oil, etc.), and forestry (i.e., logging, sawmills).

The PPP framework governing private sector investments has remained the traditional concession agreements within the extractive sectors. This approach has persisted despite determined efforts by the GoL to formulate a specific PPP law similar to its neighbours, Sierra Leone and Guinea (World Bank 2012; GM, *Personal Interview*, Nov. 2, 2020). Post-war PPP arrangements were, therefore, structured within the rubric of traditional concession agreements. Section 6.1(a) of Liberia's *General Business Law* of 1975 defines a concession as

A grant by the Government of Liberia of a privilege to use for profit through conduct of a business the property or interest of the Government, including, but not limited to, a privilege to use the public lands, whether with or without payment of rent or other consideration, the privilege of cutting timber from Government property, the privilege of extracting minerals from public lands, and the privilege of fishing in territorial waters, unless the person granted the last such privilege is entitled thereto through Liberian citizenship or by treaty. The term also includes the grant of monopoly to do a specified kind of business or sell a specified product in Liberia.

(Section 6.1(a), General Business Law of 1975)

This definition was later revised within a new *Public Procurement and Concessions Commission (PPCC) Act of 2005*, to mean:

The grant of an interest in a public asset by Government or its agency to a private sector entity for a specified period during which the asset may be operated, managed, utilized or improved by the private sector entity who pays interest in the asset and that the asset will revert to the Government or agency at a determined time.

(Section 73(1), PPCC Act, 2005)

The new definition signalled GoL's interest in embedding important elements of contemporary PPP transactions into its traditional concession agreements. Thus, the term "Concession" in the new *PPCC Act* came to include the range of potentially new types of partnership arrangements, including (a) "Build/Refurbish/Modernize-Operate-Transfer (BOT)", (b) "Build/Refurbish/Modernize-Transfer-Operate (BTO)", (c) "Build/Refurbish/Modernize-Own-Operate-Transfer (BOOT)", (d) "Build/Refurbish/Modernize-Own-Operate (BOO)", (e) "Joint Ventures", (f) "Management Contract/Service Contract", (g) "Outsourcing", and (h) "Partial Privatization". The Commission may also identify other business arrangements that could be defined as concessions (see Kaplan et al. 2012, pp. 28–30). A subsequent 2010 amendment to the *PPCC Act*, however, resulted in the omission of subparagraphs (f) and (g) of the *Act* dealing with Management Contract/Service Contract and Outsourcing, and replaced them with the following new subparagraph:

(g) "Natural Resources": Grants of the right to exploit for private benefit a depleting or renewable asset of the state, such as the right to mine minerals, recover petroleum resources or develop and operate an agricultural plantation when the private entity is responsible for and bears the risks of the capital investment and operating cost of the project.

The omission of subparagraphs (f) and (g) did not abolish these types of partnership. Instead, it simply pushed them beyond legislative scrutiny, effectively circumventing the high bar legal requirement for Senate ratification of all concessions (Liberia's *General Business Law*, 1975, Sec. 6.2.4). Of equal significance was the expressed unwillingness by key private sector actors to fully embrace the risks associated with traditional concession arrangements, especially within a precarious and uncertain post-war environment (World Bank 2012, p. 10).

Of the over 90 concession agreements, PPP transactions, service contracts, and forest public use permits (PUPs) signed or issued between 2006 and 2017, only one PPP transaction existed. This was in the social sector – i.e., the Monrovia City Corporation (MCC) Solid Waste Contracts, involving public sanitation (*LEITI Report*, 2013; *World Bank* 2012, Appendices 1&2, pp. 61–4). By 2017, the contracts under MCC's solid waste initiative had all but ended as external financing dissipated (G.M. *Interview*, Nov. 2, 2020). This lone PPP arrangement in the social sector highlights the extent of marginalization broadly suffered by the sector.

Primary, secondary education and technical and vocational education and training (TVET)

When it comes to PPPs in primary, secondary, and TVET programmes, much has been desired. In an interview with former Liberian Minister of Education, Mr George Werner, it was apparent that the sector suffered significant neglect. Warner expressed disappointment over the lack of innovation and the unfortunate absence of PPP arrangements in the country's post-war education sector, lamenting the initial government's failure to prioritize education PPPs early in the recovery process, in contrast to other sectors (GKW *Interview* Oct. 28, 2020). By PPP, Mr Werner had in mind partnerships involving mainly private commercial actors as funders, managers, and/or direct instructional services providers. Nevertheless, Liberia has had a long history of private, *non-commercial* institutions (e.g., NGOs, religious organizations, educational charities, foreign school boards) playing lead roles in the education sector. The evidence from pre-war Liberia suggests that these private actors have historically dominated education provision. More significantly, it was in the immediate post-World War II (WWII) period that the sector experienced its most expansive development under the Presidencies William V.S. Tubman (1944–71) and William R. Tolbert (1971–80) (Kraaij 1983; Toe 2020).

With a crucial amendment in 2015 of the country's *Public Education Law* of 2011, new powers to enter PPP arrangements for education delivery fell into the education minister's hands (GKW *Personal Interview*, Oct. 28, 2020). Furthermore, a fresh international spotlight and funding assistance was brought to bear upon the sector following controversial comments by President Sirleaf. By publicly describing the country's education sector as “a mess” (*Reuters News* 2013, Aug. 29), President Sirleaf sought both to arrest international attention and support and to trigger new reforms in the sector. Her comments responded to the report that all 25,000 high schoolers sitting a placement exam at the state university had failed to get passing marks.

In response to the “mess” in the sector, the GoL and its international and local partners jointly developed a National Education Sector Plan (ESP) in 2015. Titled “Getting to Best” (i.e., “From Mess to Best”), the Plan focused on improving (a) schools and instructional quality, (b) teachers' training, (b) curriculum and assessment, (c) TVET, and (d) overage and out-of-school programmes, among others (MoF *ESA Report* 2015, pp. 3–4). Between 2015 and 2017, the Plan had attracted more than US\$50 million, mainly from the World Bank,

the Global Partnership for Education, and GoL matching contributions (World Bank 2019). The new PPP approach witnessed some eight (8) private education firms and NGOs signed contracts under the Plan's "Partnership Schools (PSL)" programme to manage 93 public schools across the country, with plans to expand to 300 more over three to five years (MoE 2015, p. 15). The partners included notable international firms such as Bridge International Academies, BRAC, Youth Movement for Collective Action, More Than Me, and the Rising Academic (Romero, Sanderfur and Sandholff 2017).

These firms had to evaluate and train teachers, developing curricula, textbooks, and other instructional materials. However, their instructional and classroom management responsibilities sparked considerable public controversy (e.g., OHCHR 2016). For the first time in Liberia's history, the GoL contracted private (for-profit) firms to deliver public instruction on such a massive scale. One recent independent assessment of this PPP model's progress showed measurable (though marginal) enhancement in educational outputs. Romero et al. (2017, pp. 2–3) found that schools managed by private contractors raised student learning by 60% compared to standard public schools. However, this was at a considerable cost; and performance varied across contractors, with the largest contractors authorized "to push excess pupils and underperforming teachers [out of the program and] onto other government schools". It is unclear what effects the high costs and students shedding may have on the entire public school system.

As part of new reforms in the sector, a National TVET and Youth Development Program was also developed, together with a draft National TVET Legislation (*Draft TVET Act* 2019). The European Union alone contributed EUR 20,000,000 between 2014 and 2016 (EU-Liberia Program 2014). Also, US\$47 million was expected from the World Bank (2019), which included support for TVET. The limited private commercial capital that went into TVET development between 2014 and 2017 was highly uncoordinated and fragmented. For example, the iron ore mining giant, Arcelor Mittal, assumed control of old TVET facilities left over by a previous mining operation (i.e., LAMCO) and has since introduced its own TVET training for its workers (B.J. Interview, Nov. 15, 2020).

Additional private sector funding for primary, secondary schools and TVETs was also channelled through specialized funds such as the County Development Fund (CDF) and Social Development Fund (SDF). Set up in 2006 to decentralize funding for county-level development initiatives, an estimated US\$30 million flowed through the CDF between 2007 and 2017 (FCI 2019). Some \$3 million is paid annually into the CDF by participating concessions, equally distributed between Liberia's 15 counties (\$200,000 each). Our analyses show that an estimated \$69 million was channelled through the SDF during the same period (see also Putten 2013). For example, in 2012/13, Arcelor Mittal paid an estimated \$3 million into SDF. China Union, a Chinese concession, paid an estimated US\$3.5 million annually to three counties. The mining group BHP Billiton also pays US\$400,000 annually to four counties (Putten 2013).

While both the CDF and SDF have greatly facilitated a considerable degree of decentralized micro-level decision-making and community involvement, they have also become targets of intense political influence – peddling by members of county legislative caucuses. Reports of general misalignment and fraud have resulted (e.g., Kelby 2014; Lomax 2020). The absence of adequate policy guidance and a coordinated approach to funding primary, secondary education and TVET through these mechanisms has led to limited accountability, difficulties in assessing impact, and lopsided policy implementations. Whatever the consequences of the current PPP approach, the previous PPPs can provide important lessons for today's sector's policy arrangements. The following section provides a brief history of PPP development in Liberia within the context of both market and non-market partnerships.

A brief history of PPP in the education sector

The myth of Liberia's exceptionalism as the only African nation never colonized by external powers is indeed an enduring one. However, careful analysis of the country's history reveals the absence of any material differences between its founding Afro-American rule over indigenuous Africans and European colonization elsewhere in Africa (Gershoni 1985; Luthi, Falk and Purtschert 2016; Toe 2020).

Under the auspices of the American Colonization Society (ACS) – a band of White slaveholders and Christian clergies organized and chartered as a private charity – a decision was reached in Washington DC in 1816, “to promote and execute a plan for colonizing (with their consent) the free people of colour residing in our country [the United States], in Africa, or such other place as Congress shall deem expedient” (ACS *Revised Constitution, Art. 2*, 1816, in Brown 1941, p. 235). As a private charity, the ACS envisaged strong partnerships with other foreign governments and private entities “to effect [its] object” [of colonization, consistent with] the laws regulating the subject (*Declaration of Independence* 1847).

Thus, the partnership which emerged between 1816 and political independence in 1847, though uneven, involved an eclectic mix of actors, including the ACS, free Black settlers, the US Government and Congress, state colonization societies, Christian Missions, and private charities dedicated to “benevolent causes”. They all shared a single mission of colonizing free US Blacks in Africa (Sherwood 1917). Over time, and in partnership with the newly established Afro-American settler state (i.e., Liberia), Christian Missions emerged as the primary tool for educating settlers and the majority native African populations, consistent with colonial “civilizing and Christianizing” missions.

Early Liberia considered itself a “Christian Nation”. In at least one undated *appeal* issued in Washington DC, the ACS emphasized its Christian mission, declaring that “It's missionary work was...[f]irst, as it regards the coloured man in this country [the United States]; and secondly, as it respects the native of Africa...[to whom emigrants shall] become a bright and powerful centre of civilization and [Christian] religion”. The early PPP arrangements in education in Liberia must, therefore, be understood within this context of Christian mission and the so-called “civilizing” project. Indeed, over time, new, voguish, and equally nebulous objectives about “modernization” and “development” would be introduced in the Afro-American state's civilizing agenda. In this respect, at least three (3) distinct phases of PPP development are discernable. The last phase is the present one (1980–present), discussed in some detail previously.

Phase I (1822–1945) – the “civilization” and Christian Mission

The first phase of PPP development in Liberia spans approximately 123 years between 1822 and WWII in 1945, characterized by foreign Christian Missions, religious charities, and educational philanthropies in education and health services. Particularly significant was the conspicuous absence of private commercial capital in the sector. Although the task of public education rested upon the shoulders of the GoL, the latter conveniently outsourced it to better-resourced US Christian Missions and educational charities, as well as to a handful of leading settlers who took native African children into their homes under the Wards System (Martin 1968, pp. 292–3). This Christian Mission-led approach to education seemed influenced mainly by GoL's limited fiscal capacity. However, equally significant was settlers' ideology of the *Divine Plan*. They believed that Liberia was founded upon Divine providence to bring the civilizing light of education and Christian values to a benighted African continent (e.g., Werner and Toe 2019).

Thus, Christian Missions and private charities assumed the lion share of funding primary and secondary education – teaching Christian doctrines, English literacy, numeracy, personal industry, and the arts. Raymond Buell estimates that American Christian Missions, aided by various US colonization funds, poured as much as \$300,000 annually into missionary activities, a large part of which comprised funding for education (1928, p. 759). It was, however, not until the late 1870s as the nation’s educational needs grew, and in the aftermath of a bloody Grebo War at Cape Palmas in 1874 – for which the government blamed mission-educated Grebos – the GoL began to take more seriously its responsibility for the public, mainly secondary, education (Martin 1968, p. 311; Payne, *Inaugural Address*, Jan. 3, 1876, in Guannu, 1980, p. 109).

Soon after, the Liberian College, a government institution established earlier in 1851, was activated with secondary education. Later in 1912, the Department of Public Instruction was established by an *Act of the Legislature* (Buell 1928). However, it was not until the second quarter of the 20th century that GoL’s public education efforts surpassed Christian Missions. Table 35.1 gives a sense of Christian Mission and GoL roles in the educational sector.

Of particular significance was the entry in Liberia in 1926 of the largest foreign private capital investment, including Firestone Rubber and Tire Company of Akron, Ohio. However, neither Firestone nor other prior foreign concessionaires were required to directly finance education or other social services beyond the bare necessities of their operations, or in the case of Firestone, for labour recruitment and retention (Kraaij 1980).

Phase II (1945–89): private capital and “just social causes”

The second phase of Liberia’s PPP development sits between the end of WWII (1945) and the civil war in 1989. It is characterized by a major shift in the global market for money and finance at the global level. This was a shift away from traditional laissez-faire liberalism and towards a more “embedded” liberal order in which states freely intervened in economies and markets for what was termed “legitimate social causes” (Polanyi 1941; Ruggie 1982). At the same time, in the United States, a remarkable transformation was also underway. Post-war America awoke to a new era of social liberalism and ideas of a “New American Century”

Table 35.1 Comparative growth in education, 1925–40

Category	1925/1926		1940		1944	
	No. of schools	No. of students	No. of schools	No. of students	No. of schools	No. of students
GoL (Primary) schools	56	2,000	150	10,000	187	11,267
Christian Mission schools	83	6,624	87	3,500	64	n/a
Others	3	75	n/a	1,500	n/a	n/a
Total	142	8,699	n > 237	15,000	251	19,000
High (secondary) school training	10	100	8			
Vocational training	1		1		1	
Teachers’ training			1		1	
College level training	2		1		1	

Source: Analysis of GoL Yearbook (1940, pp. 35–41) and Kraaij (1983, pp. 373–77, p. 383).

(Luce 1941, in Carlisle 1980). Under this new ideology, wrapped tightly with the US Government foreign policy (through the Departments of Defense and State), private US capital sought vigorously to create new markets abroad, as well as the chance to contain communist and socialist influences, by deploying US development aid and capital investments for “just social causes”, especially in so-called “backward” societies of Africa, Latin America, and elsewhere (Carlisle 1980).

At the domestic level, the period was also characterized by a new and enthusiastic involvement of private capital in the financing of public education and health within President Tubman’s *Open Door Policy* (Kraaij 1983; Toe 2020). This shift was reflected in the earliest post-WWII concession agreement between the GoL and the private US firm, Stettinius & Associates, formed and operated by former US Secretary of State Edward B. Stettinius, Jr (December 1944–June 1945). Together with the government, Stettinius & Associates established and owned the *Liberia Company*, a venture which Stettinius hoped to replicate elsewhere in Ethiopia, Morocco, and French West Africa (Carlisle 1980, p. 177). The 1947 *Memorandum of Understanding* between the GoL and Mr Stettinius was the first to reflect this new paradigm in PPP development. Therein, the parties agreed to

Jointly participate in a cooperative effort to bring to bear the advantages and benefits of private resources in capital and specialized knowledge from the United States, and the natural resources of Liberia, with the view of improving the levels of the living standards of the people of Liberia, and to enhance and expand their opportunities for economic and social advancement.

(Memorandum of Understanding 1947, p. 1)

The parties also committed “to create the Liberian Educational Foundation for the advancement of higher education opportunities of the people of Liberia...with particular emphasis on medical and technological training, and the assistance in the creation of the University of Liberia” (*Memorandum of Understanding 1947, p. 2*). The Foundation thus operated as a philanthropic trust, holding 10% stock in the *Liberian Company*. Mr Stettinius emphasized the “just social cause” of his venture when he remarked that “With our techniques and know-how, it is just unnecessary for them [Liberians] to live poorly. I would not personally be doing this on a purely commercial basis” (*Times Magazine*, p. 88, cited in Mclaughlin 1966). But it soon became apparent that Mr Stettinius and other private US interests harboured profit and security agendas far beyond these expressions of idealism.

With the onset of radical nationalism and the nationalization of critical state assets by newly independent and socialist-leaning Africa states in the 1950s and 1960s, President Tubman was eager to allay mounting fears of similar trends in Liberia. He thus expressed GoL’s commitment to preserving Liberia’s historic free enterprise system and maintaining a sound currency in US dollars (*Fifth Inaugural Address*, Jan. 6, 1964, in Guannu 1980, p. 364). In 1939, the US’ money doctor’, Edward Kemmerer, visited Liberia to transition the country’s currency from the British sterling to the US dollar, thus firmly incorporating Liberia into the US monetary system and global governance (Kemmerer 1939).

In this regard, however, President Tubman made clear his government’s expectations that private capital must share with the government in the responsibility of “evolv[ing] a better standard of living and ensure the happiness, peace, and security of the people [of Liberia]” (*Fifth Inaugural Address*, 1964). His administration, therefore, required all major foreign concessionaires “to provide the facilities implied with the ownership [of private capital; and] to supplement and complement those provided by Government” (ibid). For example, two of

the most significant mining concessions, the Liberia American Swedish Mining Company (LAMCO) Joint Venture and the Bong Mining Company (BMC), were required by law to (a) “provide free primary and secondary education for dependents of employees, local government officials and the larger community, and (b) provide on-the-job training, operate vocational training centres and offer scholarships” (Kraaij 1983, p. 362). Indeed, this was the guiding public policy under which the post-WWII PPP model unfolded.

Throughout this period, foreign capital funded a wide range of social programmes, including education. The results were remarkable, as reflected in Table 35.2. Meanwhile, Christian missions and charities’ funding and expansion of educational services continued unabated, greatly incentivized by generous government subsidies.

Beyond support from the private sector and Christian missions, the GoL also channelled considerable public investment into education. This included an expansive government scholarship programme to create what President Tubman termed an “enlightened citizenry” (*Annual Message* 1944; also see, Kraaij 1980; GoL *Annual Reports* 1960, 1965, 1970, 1975). Between 1964 and 1971, for example, public expenditure for education increased by 23% (from US\$5.2 million to US\$6.4 million; Banks-Henries 1972, p. 36). These expenditures excluded foreign travels, rent on school buildings, and equipment (in the 1967 budget). Additionally, religious and private schools received GoL subsidies, including direct cash payments, free public lands for schools and mission infrastructures, scholarships, tax exemptions, etc. In 1954 alone, GoL expensed a total of US\$62,749 in subsidy payments to Mission schools (GoL 1956, p. 52). In *Acts of the Legislature* passed in 1961–62 Legislative session, GoL granted substantial public lands to the Bible Way Worldwide Mission Church (200 acres), the Full Gospel Mission Church (100 acres), the Assembly of God Associate Mission Church (160 acres), and others.

The effect was a dramatic increase across key education indices. McLaughlin (1966, p. 11) estimates that by 1965, the fraction of Liberians described as “literate” (capable of reading and writing English) stood at 20%, rising from 10% five years previously – a remarkable 100% increase. At 20% (or even 17% if we adjust for possible errors), Liberia still led its

Table 35.2 Comparative analysis of educational institutions between 1945 and 1980

Category	1950		1964		1978	
	Number of schools	Number of students	Number of schools	Number of students	Number of schools	Number of students
GoL (primary) schools	117	11,023	780	78,539	941	124,877
GoL (secondary) schools	2	902	107	5,977	n/a	25,306
Christian Missions	118	10,990	n/a	n/a	292	49,704
Others (private, tribal, philanthropic, excl. vocational and concession schools)	30	2,368	n/a	n/a	207	37,966
Total (incl. voca.)	270	24,554	893	85,929	1,441	237,853
Vocational/technical training	1	173	3	605	n/a	n/a
Teachers training			n/a	225	n/a	n/a
College level training	3	158	3	598	n/a	n/a

Source: Author’s analyses of GoL Education Report (1950), Banks-Henries (1972), Kraaij (1983, pp. 373–7, 383, 386). Disaggregated figures are difficult to access.

neighbours Sierra Leone (12%), Guinea (10%), and Côte d'Ivoire (16%) in the same year. By 1971, the per capita ratio of total school enrolment (elementary through tertiary, incl. teachers' training 148,061) had risen to a factor of 0.103, an increase of 542% over 1940 figures. Kraaij (p. 385) has concluded that "Liberia in the post-war period [1944–1974] underwent more changes in the field of education than ever before in its history".

Phase III (1980–90, post-war, 2003–present)

The third and final PPP development phase is the present post-war phase (2003–present) discussed in the first section. At the global level, this phase is characterized by liberal orthodoxy for money and finance (i.e., neoliberalism) and the shedding of key social responsibilities by private commercial capital, including education and TVET. This phase represents a return to an old pre-1945 laissez-faire liberal (i.e., neoliberal) order.

The way forward

With the decline of the embedded liberal order for money and finance and the rise of neoliberalism, the fight to impose new social responsibilities upon private commercial capital (i.e., corporate citizenship) became far more daunting. In Liberia, the absence of a specific PPP law with provisions for social financing has failed to alleviate this situation. This has led to the continued marginalization of education in PPP arrangements, thus creating a lopsided policy environment in which success is neither predicated upon nor predictable by PPP arrangements. Therefore, the critical questions of long-term sustainability remain unaddressed. To achieve sustainability, policymakers must consider three critical reforms.

First, the GoL must consider a strategic return to its historic PPP arrangements in which private capital and concessionaires fulfilled greater social responsibilities, including for public education and TVET. *Second*, a more robust and coordinated partnership with religious mission educators is key to mobilizing domestic finance for education. This suggests a return to the colonial "civilizing" agenda underpinning Christian Mission and public education in the past. Instead, it insists upon a more coordinated re-incorporation of important domestic actors, including the Church, private charities, community cooperatives, and grassroots leadership, for both short- and long-term education deliveries. Private non-commercial actors' interests have always transcended market considerations, as has been their predictable long-term resource commitments for education. GoL may once again introduce incentive mechanisms (such as public land give-away, subsidies, and matching contributions) with the object of increasing domestic investments in education.

Third, PPP reforms on education funding through the CDF and SDF mechanisms should be revisited to streamline educational priorities across the board. Both funding mechanisms (through education deliveries that are pegged to measurable outcomes) should seek to curtail political influences and fraud. Most importantly, such policy reforms must integrate the CDF and SDF into GoL's more extensive coordinated PPP policy infrastructure. These policy reforms are more likely to expand resources for education deliveries.

Conclusion

Liberia offers important lessons in public-private partnership arrangements, considering its long-standing experience in traditional and non-traditional PPP models, where the private market and non-market capital and firms have been present. As 2016 turned the corner,

declining domestic and international funding for education began to appear in Liberia. During this period, GoL suffered significant reductions in revenue generation; at the same time the Liberian economy contracted on average of 0.8% annually from 2014 to 2016, or 3.2% per year in terms of per capita, due to downturns inflicted by the Ebola Virus Disease (EVD) crisis (World Bank 2018, p. 4). Furthermore, key funders of GoL's Education Sector Plan (ESP) – the World Bank and Global Education Partnership – began to give early indications of unlikely funding extensions beyond the pilot phases. Neither was there much enthusiasm within the new George Weah administration to advance policy priorities laid out by the former administration of Mrs Ellen Johnson Sirleaf.

Without extended funding from the World Bank for the piloted PPP arrangements in education, a vital lesson in post-war PPP transactions may be lost – that is, the potential for success absent the early “civilizing” ethos of Christian Missions and private sector interests. Furthermore, by effective reforms of the County Development and Social Development Funds regarding public education, and incentivizing important non-market private groups, the GoL can encourage increased capital contribution from domestic sources, as foreign private assistance quickly dries out. Only through such increased local content can PPPs in education prove effective in financing long-term outcomes and become credible predictors of public policy success.

Note

- 1 Among other critical US Government support for post-war Liberia was an estimated US\$300 million contract to the private military firm, DynCorp, to rebuild the Liberian army (*Aljazeera News*, 2014); and further substantial funding for a UN peacekeeping mission, health and infrastructure development, etc. See Liberia-RRHO, <https://www.resilientinstitutionsafrica.org/impact-partners/liberia>.

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POLICY ISSUES IN THE HARMONISATION OF QUALITY ASSURANCE SYSTEMS FOR HIGHER EDUCATION IN AFRICA

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Introduction

Higher education plays a key role in any country's economic, scientific, social and human development. The economically strongest nations are those with the best performing higher education sector. As the producer of knowledge and knowledge workers, higher education has lately assumed an even more important role: assisting countries in developing knowledge economies and being globally competitive (Mohamedbhai 2013). In Africa, it is acknowledged that higher education is the most powerful weapon for poverty alleviation, the promotion of economic growth, the production of skilled human resources, and creating a healthy and enlightened society and self-sufficiency in any given nation (Badat 2004). Accordingly, higher education institutions on the continent are a critical source for equalising opportunities and the democratisation of society (Castells 2009). In these institutions, citizens are equipped with the vital knowledge and skillsets to develop, including the organisations and institutions they work for. Sub-Saharan Africa, in particular, desperately needs a strong higher education sector for rapid development (Mohamedbhai 2013). African Union (AU) has acknowledged that no member state can alone offer the full range of world quality higher education affordably and sustainably. Therefore, Africa needed to develop a framework for the harmonisation of higher education in Africa.

The issue of the harmonisation of higher education in Africa started way back on 5 December 1981 in Arusha, Tanzania, with the adoption of the continental convention on the recognition of higher education studies and degrees in Africa under the auspicious of the United Nations Education, Science and Culture Organisation (UNESCO), to promote regional cooperation through the academic mobility of lecturers and students (UNESCO 1981). The Arusha Convention is a framework agreement that provides general guidelines to facilitate regional cooperation relative to the recognition of studies and degrees through national, bilateral, sub-regional and regional mechanisms that exist for that purpose.

In 2014, the Arusha Convention was revisited in Addis Ababa, resulting in the Addis Convention. The Addis Convention has been active since 15 December 2019, and all AU Member States are compelled to adopt and implement it (UNESCO 2014). The recognition by a Member State of a delivered qualification is contingent upon all the qualification's requirements. The provisions of the Convention apply to all forms of higher education. The

Convention defines higher education as an institution providing higher education and recognised by the competent authority of a Member State as belonging to its higher education system and authorised to award qualifications at the higher education level (UNESCO 2014).

Indeed, the harmonisation of higher education in Africa has come a long way. Harmonisation needs common quality assurance standards and guidelines to enable students to move from one state university to another undisrupted in their studies. However, nearly 40 years after adopting the Arusha Convention (now Addis Convention), even though almost all African nations have ratified the Convention, its implementation has been very slow (Dell 2019). Besides, its benefits are yet to be seen as the African higher education system is still fragmented, and the easiness of student mobility is still a cause of concern. Even higher education institutions in the same country hardly exchange staff and students without adverse effects because of their guiding principles. This chapter seeks to establish why slow implementation in the harmonisation of quality assurance initiatives in African higher education systems is based on critical literature analysis. Doing so attempts to address the following questions:

- a Which harmonisation policy initiatives have been adopted in higher education on the African continent?
- b What is the current situation regarding the implementation of such policy initiatives?
- c Have commitments to the implementation of the harmonisation policy framework been made and realised by African countries?
- d What are the factors that hinder the effective implementation of such initiatives?
- e How could the current status quo be improved?

A policy analysis approach

Quality assurance is considered a policy located within the broader domain known as higher education (Perellon 2007) while placing it under the general label of policy analysis. Higher education studies have not been exempted from the influence of the policy analysis approach. Policy analysis comprises a wide range of disciplines, models and theories (Wildawsky 1979). It, therefore, requires a multidisciplinary approach to the social reality to account for the conceptual devices of institutionalised academic areas and acknowledge the importance of the historical, societal, legal and institutional contexts within which policies are formulated and implemented. Scholars involved in policy analysis pursue various concerns to address the links between a ‘problem’ and policies developed. This requires policymakers’ action (in-action) or is concerned with the impact of a public policy in terms of outputs and outcomes (Parsons 1995, p. 29). This chapter reviews the literature on implementing harmonisation initiatives as policy domains in African higher education systems.

Harmonisation and quality assurance in Africa

Harmonisation and quality assurance in higher education are a priority in Africa at all levels. At the beginning of this century, challenges facing African higher education increased in complexity and magnitude, mainly due to globalisation and internationalisation (Adam 2012). Emerging from colonial history, African leaders have felt the need to band together or collaborate for greater strength and confidence in African systems, structures and institutions. Higher education is a driver for development among these structures – it is the incubator for research, knowledge generation and data management, and capacity development.

The need for collaboration also arises among higher education institutions (ADEA 2015). Harmonisation implies the agreement, synchronisation and coordination of education systems to strategically develop and strengthen higher education institutions' capacity to respond simultaneously to populations' educational and employability needs (ADEA 2015). It may also imply the narrowing of variance in structural factors, processes, qualification frameworks, quality standards, degree cycles and credits.

Besides considering the national cultural and contextual variables, harmonisation should foster trust and confidence among the Member States regarding their higher education systems. It enables the consolidation of African education systems, the quality of educational provision in light of guidelines for excellence, ultimately leading to regional integration (ADEA 2015). This results in a harmonised environment, with transparency regarding curriculum development and a synchronised understanding of higher education, including the learning load, the duration of courses, credit accumulation and the recognition of experiential learning across educational systems.

Harmonisation of higher education should respect cultural and contextual specificities. Moreover, it is the trust and confidence produced by consensual agreement over higher education-related definitions, enabling the portability and transferability of qualifications and the intra-continental and international mobility of African citizens (ADEA 2015). *The specific challenges facing higher education systems are underpinned by gender and regional disparities, the mismatch between skills and industry requirements, inflexible admission criteria, the absence of credit transfer arrangements (locally, regionally and internationally) and poor recognition of African qualifications externally.* Additionally, private higher education is proliferating, unfettered by quality assurance requirements in the *absence of clearly defined quality standards and regulations in many African countries* (ADEA 2015). The desire to synchronise the diverse higher education systems which have roots in multiple national and colonial legacies across the region motivates the harmonisation of quality assurance practices and policy implementation in Africa.

The multiple higher education systems, albeit with identical aims, undermine mutual recognition of qualifications across the countries and further militate against African integration and the unfettered mobility of students, graduates and academics across Africa. Therefore, higher education harmonisation should ensure compatibility to facilitate academic mobility and qualifications, including quality assurance systems (Nabaho and Turyasingura 2019). *Harmonisation in this context refers to agreed and accepted arrangements that match one higher education system's educational competence and qualitative value with another or a group of higher education systems.* For the Inter-University Council of East Africa (IUCEA), harmonisation is a common frame of reference to facilitate comparability, compatibility and mutual recognition of higher education systems and the qualifications attained among the African Member States.

This is based on shared views on quality, criteria, standards, and learning outcomes for promoting students and labour mobility on the continent. Hence, the continent operates as a common higher education area (IUCEA 2017). However, harmonisation does not mean each higher institution or country should operate a uniform system across the continent. This would stifle the competitiveness, uniqueness and innovativeness of the higher education systems, institutions and individual countries. Therefore, Africa should also promote these qualities mentioned above in higher education institutions. Higher education institutions benchmark their systems and programmes to the basic continental standards and guidelines. They also uphold uniqueness in terms of programme specialisations, curriculum innovativeness, delivery and assessment approaches, etc.

Harmonisation initiatives

Harmonised quality higher education systems are imperative for Africa to realise the vision of an integrated, prosperous and peaceful continent (AU 2018). Harmonisation and strengthening of the quality of higher education in Africa are in line with the AU Agenda 2063: 'The Africa We Want' and it is an essential instrument for facilitating the AU ratified Continental Free Trade Area. Integrated Africa is a primary transformational outcome of Agenda 2063, encompassing free movement of persons, free trade and African common education space for all African learners. These efforts culminate in Africa's long-time desire for harmonised higher education systems to facilitate the mobility of trained people with accredited qualifications.

Diverse higher education systems have resulted in a lack of mutual recognition of university degrees, constraining academic integration and the mobility of students across Africa. Collective endorsement of harmonisation and mutual recognition presupposes increased attention to quality and quality assurance in higher education. The rapid growth in the number of students, higher education institutions and the increased focus on employability has made quality and quality assurance central topics. If Africa's investment in the education of its youth is to reap demographic dividends, quality and quality assurance in higher education and training are essential (AU 2018).

Thus, numerous attempts exist to harmonise and organise quality assurance activities in African higher education, at both continental (mainly driven by the AU) and regional (East Africa, SADC, North Africa, etc.). The former is linked to the objectives of the AU and the Association of African Universities (AAU). The AU, in particular, aims to create a harmonised quality assurance and accreditation framework that can facilitate transparency between countries and enable staff and student mobility across Africa. Some initiatives include the following:

- a *The Addis Convention.* The Convention establishes a legal framework for recognising studies, certificates, diplomas, degrees and other academic qualifications in higher education in the African Member States, facilitating the exchange and greater mobility of students and academics within the continent (UNESCO 2014). According to Article 2 Section 2, the aims of the Convention are to strengthen and promote inter-regional and international cooperation in the field of qualifications recognition – defining and putting in place adequate quality assurance and accreditation mechanisms at the national, regional and continental levels; encouraging and promoting the widest and most effective possible use of human resources available in Africa and in the diaspora to speed up the development of their respective countries and to limit the African brain-drain; facilitating the exchange and greater mobility of students, teachers and researchers in Africa and in the diaspora by recognising qualifications delivered by other parties to pursue higher education; furthering the setting up of high-level joint training and research programmes between higher education institutions and supporting the award of joint degrees; improving and reinforcing the collection and exchange of information for the purpose of implementing this Convention across the Continent; and contributing to the harmonisation of qualifications, taking into account current global trends (UNESCO 2014, p. 1). The Convention provisions apply to qualifications obtained in public and private higher education institutions recognised by the competent authority/authorities in the AU Member States, located within or outside their national boundaries and in compliance with the legislation in force.

- b *The Pan African Quality Assurance and Accreditation Framework (PAQAF)*. PAQAF, which the African Union Commission (AUC) endorsed via its committees and its Council in 2016, is an overriding framework for several commitments related to quality assurance harmonisation activities in Africa. PAQAF outlines how African quality assurance systems would relate and how common standards would be promoted and applied (Makuku 2016). It should enable easier movement of learners and workers across the continent and internationally and facilitate collaboration, networking and capacity building between national and regional quality assurance/accreditation agencies.
- c *The African Continental Qualifications Framework (ACQF)*. The ACQF is a policy instrument driven by the AU and underpinned by Agenda 2063: *The Africa We Want*. This policy framework seeks continental strategies in the domain of education, science and technology, and youth. The ACQF is part of the AU-EU Skills for Youth Employability Programme. It is being implemented by the AUC in collaboration with the *Deutsche Gesellschaft für Internationaler Zusammenarbeit (GIZ)* and the European Training Foundation (ETF) throughout 2019–22. This project seeks to develop an African Continental Qualifications Framework based on existing national and regional qualifications frameworks. It is a complementary action to the African Continental Free Trade Agreement and the Protocol on Free Movement of Persons, Right of Residence, and the Right of Establishment. It should enhance comparability, quality and transparency of qualifications from all subsectors of education and training; facilitate the recognition of diplomas and certificates by promoting cooperation and alignment between qualifications frameworks (national, regional) in Africa and worldwide; facilitate the portability of skills; promote an African education space; and support people's learning outcomes acquired throughout life (AU 2020).
- d *The African Credit Accumulation and Transfer System (ACATS)*. This is a continental educational qualification framework and a common educational qualification system in place by 2023. The Quality Assurance Agency (QAA 2008) describes this as the mechanism that allows a credit conferred by a higher education institution to be recognised, quantified and included in the credit requirements for a programme delivered by another between programmes offered by the same institution. Therefore, credit transfer is dependent on the use of credit, which in the ACATS is calculated based on defined learning outcomes, which in turn are based on the amount and depth of learning undertaken.
- e *Harmonisation of African Higher Education Quality Assurance and Accreditation (HAQAA) Initiative*. The AUC established the HAQAA Initiative in collaboration with the European Union (EU), the AAU and other stakeholders to support a harmonised quality assurance and accreditation system at institutional, national, regional and Pan-African continental level (AU 2018). The main objective of the HAQAA Initiative is to contribute to and support the harmonisation of higher education programmes and the creation of a revitalised, distinctive, attractive and globally competitive African higher education space through enhanced intra-African collaboration. The Initiative is currently implemented by a consortium consisting of the University of Barcelona (coordinator), the AAU, the European University Association (EUA), the European Association for Quality Assurance in Higher Education (ENQA) and the German Academic Exchange Service (DAAD). The Initiative has developed African Standards and Guidelines for Quality Assurance, similar to the European Standards Guidelines (ESG), that form the backbone of quality assurance in Europe.
- f *The African Standards and Guidelines for Quality Assurance (ASG-QA)*. The ASG-QA are a set of standards and guidelines for internal and external quality assurance in higher

education. These standards have been developed to bring added value to higher education institutions and quality assurance agencies by providing a unified framework applicable to all quality assurance processes, allowing an enhancement-led approach for institutional and educational quality.

The ASG-QA are based on the existing standards and guidelines for higher education in Africa and by regional quality assurance networks or associations such as the Inter-University Council of East Africa (IUCEA), the Arab Network for Quality Assurance in Higher Education (ANQAHE) and the African and Malagasy Council for Higher Education (CAMES) in Francophone countries. The ASG-QA cover areas such as vision, mission and strategic objectives; governance and management; human resources; financial resource management; infrastructure and facilities; student recruitment, admission, certification and support services; programme design, approval, monitoring and evaluation; teaching, learning and assessment; research and innovation; community engagement; information management systems; public communication; and collaboration, staff and student mobility (AU 2018).

- g *African Quality Rating Mechanisms (AQRM)*. Adopted by the Conference of Ministers of Education of the African Union (COMDAF) in 2007, the AQRM is a quality assessment tool for higher education institutions in Africa and one means of supporting continuous quality improvement. The self-evaluation/self-rating survey that comprises the AQRM consists of institutional-level reference points (governance and management, infrastructure, finance, teaching and learning, research, publication and innovation and community engagement) and programme-level reference points (programme planning and management, curriculum development, teaching and learning, assessment and programme results). Institutions do self-rating against standards defined under each reference point on a scale of 1 to 4. In total, there are 49 institutional-level standards and 35 programme-level standards. Notably, the AQRM is not a ranking instrument for comparing institutions and is not used to create league tables (AU 2018).
- h *TUNING Africa for Joint Curriculum*. The main objective of the Tuning Africa project is to contribute and support the harmonisation of higher education programmes and the creation of a revitalised, distinctive, attractive and globally competitive African higher education space through enhanced intra-African collaboration. The project has been initiated as part of the cooperation in higher education between the AU and the EU and aligns with the AUC's harmonisation strategy (Mohamedbhai 2013). It is a network of academic experts who discuss, design, elaborate learning instruments, and share the results. They gather around a single discipline or theme with the conscious aim of building mutual trust and confidence. They work in international, intercultural groups, respecting the institutional and national autonomy of co-participants. They share knowledge and experiences while articulating and evaluating clear collective aims, objectives and outcomes at every step of the way. Separate groups are focused on five subject areas: medicine, teacher education, agricultural sciences, mechanical engineering and civil engineering. These groups help each other develop curricula tailored to the needs expressed by society in each of these subject areas (Mohamedbhai 2013).
- i *Intra-Africa Academic Mobility Scheme* for staff and students. In recent years, there has been an increase in the mobility of regional and international higher education students and staff due to a variety of academic-related schemes like the Erasmus Mundus' scholarships, the DAAD, staff exchanges or personally initiated movement by academic staff to greener pastures as they drift away from war-torn zones, non-performing economies, etc. In the process, many miss great opportunities for socio-economic growth and

development as they come across quality assurance hurdles when they try to cross over from one higher education institution to another (Makuku 2016). Funded by the EU, the Intra-Africa Academic Mobility Scheme provides financial support to partnerships of African higher education institutions for the organisation and implementation of student and staff mobility in high-quality masters and doctoral programmes in African countries. The scheme aims to promote sustainable development and ultimately contribute to poverty reduction by increasing trained and qualified high-level professional manpower in Africa. More precisely, the Intra-Africa Academic Mobility Scheme aims to contribute to the improvement of the quality of higher education by promoting the internationalisation and harmonisation of programmes and curricula in participating institutions; and enabling students, academics and staff to benefit linguistically, culturally and professionally from experience gained in the context of mobility to another African country (AU 2018).

At the national level, most countries have established national quality assurance agencies seeking to adapt, improve and consolidate quality assurance systems. At the level of agencies, the African Quality Assurance Network (AfriQAN) provides a support platform to share ideas and good practices across national agencies. More importantly, regional quality assurance organisations and associations, including the IUCEA, the CAMES, the Association of Arab Universities (AArU), the ANQAHE, the Middle East and North African (MENA) Quality Assurance Network and the recently formed Southern African Quality Assurance Network (SAQAN). The IUCEA included Burundi, Kenya, Rwanda, Tanzania and Uganda.

Conversely, CAMES contains 16 French-speaking African countries, including Burundi, Congo, Gabon, Ivory Coast, Mali, Niger, Togo and Rwanda. In the SADC region, the SADC Protocol on Education and Training has been ratified to promote learners, academics and researchers to teach and learn (SADC 1997a; 2019). Furthermore, the Southern African Development Community Qualifications Framework (SADCQF) in 2011 was established to promote harmonisation. The SADCQF is an important mechanism for implementing the SADC Protocol on Education and Training. The SADCQF mainly promotes student mobility, playing a key role as the regional reference point for comparing qualifications in the SADC region. It comprises a comprehensive Regional Qualifications Framework (RQF) for schooling, technical and vocational education and training (TVET) and higher education to enable easier movement of learners and workers across the region and internationally. Thus, the SADCQF is an instrument for the convergence of levels for all qualifications of SADC member states, providing a framework for comparing qualifications obtained in one Member State with those in others and other countries and regions around the world (SADC 2017; 2017b).

Therefore, harmonisation policy instruments should be fully implemented to enable higher education students and staff mobility and allow cross-pollination of numerous and diverse ideas to propel Africa's socio-economic growth and development. Also, this mobility indirectly enables cultural understanding that reduces suspicion among nations. However, this mobility can only come with the harmonisation of higher education through common quality assurance standards in Africa, which embody *the following benefits*:

- a easier comparability and recognition, including the verification of qualifications on the continent
- b improved articulation of qualifications within the higher education systems in the region

- c improved awareness of how qualifications compare within the continent
- d improved quality assurance systems on the continent and improved mobility in the region.

This will ultimately help progressively achieve continental integration in Africa, which is the ultimate objective of harmonising policy instruments.

Harmonisation and benchmark statements

Harmonisation is relevant where a unit in a qualification is similar to a unit in another qualification. Therefore, the recognition of credit transfers from one qualification to another through harmonisation arrangements is determined by the nature of the qualifications. This involves the comparability and compatibility of qualifications; the relationship between them; the nature, complexity and extent of the curricula associated with the specific subjects to be recognised for exemption and/or inclusion; and the nature of the assessment used. For example, bachelor's or master's degree programmes must be compatible and comparable with similar programmes in other countries on the continent, using benchmark statements jointly agreed on and expressed in related competencies. This methodology allows for more comparability while showing clear respect for the diversity of curricula and paths of learning. Therefore, effective harmonisation needs benchmarking statements for various programmes at continental, regional and country levels to ensure the comparability and compatibility of the programmes. According to the IUCEA, benchmark statements are the minimum body of knowledge for any discipline, as agreed by specialists in the field to be the minimum body of knowledge that a programme should cover for that programme to be accepted as one that is equivalent to similar programmes in reputable institutions (IUCEA 2017). Subject benchmark statements set out expectations about standards of degrees in a range of subject areas. They describe what gives a discipline its coherence and identity and define what can be expected of a graduate's abilities and skills to develop understanding or competence in the subject. Benchmark statements guide curriculum development to ensure a substantial commonality in the courses of the different higher education institutions that would make credit transfer easy (IUCEA 2017).

Benchmark statements enhance quality, and it is helpful for each country and, eventually, the region to work on such curriculum benchmarks. There is also a need to develop and implement benchmark statements for different disciplines at continental and regional levels. Member States may then align their national benchmark statements to the continental and regional ones. For professional qualifications such as law, medicine and engineering, the relevant professional bodies should determine minimum bodies of knowledge (IUCEA 2017). At continental and regional levels, programme content should be compared concerning the continental and regional qualifications framework-level descriptors, which provide guidelines on the differences in complexity between the various levels of the qualifications frameworks. Determining the benchmark statements should not consist of a simple comparison of content only. Still, it should also entail determining the level of complexity at which the content is taught. Similarly, quality assurance agencies may coordinate higher education institutions in all member states.

Therefore, through their national qualification authorities or equivalent, AU member states develop benchmark statements for all programmes, particularly for professional programmes make these programmes comparable, compatible and transparent to facilitate credit transfer. Also, to create a common space for higher education in Africa, the AU

should coordinate continental benchmarks. Regional economic communities such as the SADC, the East African Community (EAC), the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the Arab Maghreb Union (AMU), the Community of Sahel-Saharan States (CEN-SAD), the Intergovernmental Authority on Development (IGAD) and the Common Market for Eastern and Southern Africa (COMESA) should coordinate the development of regional benchmark statements in various disciplines. This will assist African higher education institutions to rethink their curricula and develop a system that facilitates academic staff, student and professional workforce mobility across Africa.

Policy implementation drawbacks

Despite all the above efforts and some pockets of success for the mobility scheme implemented over the years, harmonisation of higher education in Africa has remained elusive for many reasons (ADEA 2015). For example, challenges to the mobility of academic staff and students persist on the continent despite greater demand for the harmonisation of higher education (Waruru 2018).

Some of the major challenges still faced by the African higher education sector include:

- i a fragmented sector, *too much emphasis on rote learning and learning-for-exams rather than the development of cognitive skills and learning outcomes*
- ii low student enrolment and limited access in some socio-economically disadvantaged areas
- iii poor quality of education
- iv large non-completion or dropout rates
- v significant graduate unemployment or under-employment
- vi insufficient research output and suboptimal institutional governance and leadership (Mohamedbhai 2020).

Furthermore, harmonisation initiatives have been at a snail's pace as student mobility between higher education institutions within the same or different countries continues to be difficult. Non-uniformity and lack of recognition of different forms of certification, and limitations to African integration and the mobility of students across the continent, still exist. This implies that harmonisation policy instruments have been a catalyst for massive movements of students from different African countries, with the destination being only one or two preferred countries, particularly South Africa. The Quality Assurance Agency (QAA) for Higher Education points out that where implemented, harmonisation initiatives provide a list of challenges and barriers to the effective implementation of such initiatives (QAA 2008).

Major challenges in establishing national quality assurance agencies include:

- i Resource constraints, both financial and human; difficulties with the ministry responsible for higher education to cede its quality assurance functions to a stand-alone agency; and an unduly long legislative process (Mohamedbhai 2013).
- ii Lack of incentives for higher education to promote harmonisation due to the loss of fee income. It is argued that the potential benefits for higher education institutions are not sufficient to encourage the wider adoption of continental harmonisation. It has been observed that the funding arrangements in higher education in many African countries

are determined on the expectation that a student will complete their studies at the same institution, and student loans are calculated by time rather than by study modules which deters transfer to other African countries.

- iii Linking quality assurance to decision-making and a funding strategy, training human resources and allocating funds for the system to operate and to be sustainable, enabling the system to be assimilated by the university community, and defining measurable and objective quality standards to enable unbiased performance classification (Zavale et al. 2016).

In short, both at national and institutional levels, the implementation of quality assurance in Africa entails many challenges. Namely, *the high cost of quality assurance vs insufficiency of funds; the lack of qualified staff in quality assurance issues; limited participation by different stakeholders in the process, particularly external constituencies, such as professional bodies and employers; in some circumstances, the involvement of internal stakeholders, particularly students, is ineffective; the lack of autonomy – the financial dependency of national quality assurance agencies on governments makes them susceptible to political interference; and the definition of quality standards and criteria grounded in the African context* (Zavale et al. 2016).

Other challenges identified include lack of political will, different education systems, and lack of trust and confidence in qualifications/learning and assessment are undertaken elsewhere. For Adamu (2012), one of the main challenges facing the African higher education space is the brain drain whereby qualified professionals leave Africa for greener pasture in the developed world. By facilitating different internationalisation activities like collaboration, SADC-CATS could contribute to retaining some of the highly trained professionals who leave their universities seeking better working conditions in other regions and/or non-higher education institutions in the country/region.

Therefore, **African governments need to implement harmonisation initiatives to achieve the equivalence and standardisation of higher education systems.** These should include:

- a formulation of clear vision for the future of tertiary education
- b putting in place favourable governance frameworks
- c mobilising resources to overcome the challenges facing their tertiary education systems: poor access and equity, inadequate quality and relevance, and insufficient research and knowledge transfer
- d overcoming political rivalries and mistrust to promote South-South cooperation and pool their resources to support regional projects, such as the African Centres of Excellence.

Conclusive Remarks

Effective quality assurance systems are needed to assure and develop higher education quality and create trust and transparency for stakeholders. Continental quality assurance plays a crucial role concerning the harmonisation of higher education, especially about the comparability of student performance and degrees, the promotion of qualifications recognition and the mobility of students and academics between different African countries, and continental collaboration in educational delivery and cross-border education systems. Another aim of strengthening quality assurance systems in Africa promotes international competitiveness among Africa's higher education systems. Therefore, several initiatives aimed at continental and regional

integration, collaboration and the harmonisation of higher education have been adopted. Under the AU, there has been a collective endorsement of harmonisation and mutual recognition of credits and qualifications and increased attention to quality assurance in higher education. Chief among the initiatives is the ratification of conventions and protocols, such as the Addis Convention, the PAQAF, the ACQF, the ACATS, the HAQAA Initiative, the ASG-QA, the AQRM, Tuning Africa, the Intra-Africa Academic Mobility Scheme and the like. However, African governments need to establish legal and policy frameworks that promote accountability, participatory governance and the coordinated implementation of harmonisation and quality assurance initiatives at all levels and in all parts of their higher education systems. Furthermore, they should implement mechanisms for monitoring and evaluating harmonisation initiatives based on the evidence for effective policy formulation and implementation.

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PART VIII

Understanding health policies and disease control in Africa



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CONTROL PROGRAMMES FOR AFRICA'S PARASITES

Unrealistic expectations, ignored evidence and troubling outcomes

Tim Allen and Melissa Parker

Introduction

A vast number of people in Africa are infected with parasitic worms, causing a variety of illnesses. These include (1) *Schistosomiasis* (otherwise known as bilharzia), usually caused by one of two schistosome species: *Schistosoma mansoni* and *Schistosoma haematobium*. Transmission occurs in rivers and lakes where particular freshwater snails, which act as vectors, are common. Although the signs and symptoms of infection with *S. haematobium* and *S. mansoni* differ, they can be infected by these species and remain asymptomatic for long periods. However, repeated reinfection can lead to heavy worm burdens, which may seriously impact health and well-being. (2) *Lymphatic filariasis*, or elephantiasis, is transmitted by mosquitos. It is not a fatal disease, but the worms affect the lymph glands, causing severe swelling in parts of the body, especially the lower limbs. In men, the infection can result in a swollen scrotum. The swellings are often disfiguring, can be incapacitating, and may be linked to stigmatisation. (3) *Onchocerciasis*, commonly referred to as river blindness, is a worm infection spread by blackflies found near fast-moving rivers and streams. It causes itching, bumps under the shin and, in advanced cases, irreversible blindness. (4) *Soil-transmitted helminths* (a range of intestinal worms) include hookworm, roundworm, *Ascaris* and whipworm. They are transmitted by eggs, present in human faeces, contaminating the soil in inadequate sanitation areas. Perceived symptoms may be mild, but there can be effects on energy levels and possible links with anaemia, malnutrition and stunted growth.

Altogether, more than 600 million people are infected with these parasites in Africa (Uniting to Combat NTDs 2018), with the vast majority very poor and living in politically marginalised areas. Since the turn of the century, there has been a dramatic change in global and national responses to treatment. They have become part of a category referred to as the Neglected Tropical Diseases (NTDs). They are the focus of some of the largest public policy interventions in the health sector ever attempted.

The emergence of the 'deworm the world' agenda

The term 'NTDs' was coined around 2005 to lobby for moving these diseases into the mainstream of public policy in affected regions, particularly in parts of sub-Saharan Africa

(Parker et al. 2016). The ‘other diseases’ mentioned in the Sixth U.N. Millennium Development Goals should focus on NTDs because an effective strategy was at hand, and the results would be dramatic. That strategy was the mass distribution to entire populations, without individual testing of various combinations of medicines, which could potentially cure those infected, thereby increasing their capacities to improve their livelihoods. It was claimed that this could be done cheaply, irrespective of local public authorities, and was presented as a way of ‘making poverty history’ (Allen and Parker 2011).

This approach built on long-term strategies for deworming, notably of children. Arguments were made that treatments in parts of the United States, Japan and elsewhere for common intestinal worm infections (soil-transmitted helminths) were relatively successful and that they should be applied in places where prevalence was widespread, especially in Africa and Asia. An essential publication by Edward Miguel and Michael Kremer (2004), based on data collected during the late 1990s in western Kenya, was widely cited. That study used an econometric methodology to replicate qualities of a random control trial experiment, whereby effects are assessed by comparing cohorts with an intervention with those that are not. Analysing data collected from primary schools in Kenya’s Busia County during 1998 and 1999, their results indicated a reduction in absenteeism of 25%, following deworming with albendazole at six-month intervals for soil-transmitted helminths, and with praziquantel once a year for the prevalent kind of schistosomiasis (*S. mansoni*). They did not find an improvement in academic attainment. Still, they did find that deworming ‘substantially improved health and school participation among untreated children in both treatment schools and neighbouring schools’ (Miguel and Kremer 2004, p. 159). They argued that the ‘externality effects’ (the indirect benefits to children in neighbouring schools) were large enough in themselves to justify fully subsidising deworming. Accordingly, the article was used to argue for preventive chemotherapy, i.e. mass drug administration, to provide all school children living in areas where helminth infections are endemic.

Since the term NTDs was introduced, the number of afflictions grouped under the label has expanded, partly because of successful attempts in attracting funding and assistance from international donors and drug companies. The WHO (2020) currently highlights 20 NTDs caused by a variety of pathogens: viruses (dengue and rabies), bacteria (Buruli ulcer, leprosy, trachoma and yaws), protozoa (Chagas disease, human African trypanosomiasis and leishmaniasis) and helminths (cysticercosis, dracunculiasis, echinococcosis, foodborne trematodiasis, lymphatic filariasis, onchocerciasis, schistosomiasis and soil-transmitted helminthiasis).

A sub-group of parasitic afflictions have been a particular focus of attention, with some scholars and activists arguing that they can be the most easily treated, controlled and, in some cases, eliminated with a combination of readily available tablets. For example, three leading protagonists for NTD control via mass drug administration – David Molyneux, Peter Hotez and Alan Fenwick – suggested that lymphatic filariasis, schistosomiasis, soil-transmitted helminths, onchocerciasis and trachoma (a bacterial infection) could all be easily targeted with a mix of tablets, namely praziquantel, albendazole, ivermectin and Zithromax (Molyneux et al. 2005). The medications could be sourced from major companies, notably GlaxoSmith-Kline, Merck and Pfizer, who were willing to provide them at greatly reduced costs or for free. The drugs were deemed safe and efficacious, and the aim was to treat everyone, especially children, at annual intervals. Michael Kremer, one of the authors of the above-mentioned article on treatment in Kenyan schools, was a notable enthusiast, co-founding an NGO called ‘Deworm the World’.

A remarkable momentum developed, with considerable funds allocated by the Gates Foundation, DFID, USAID and other donors. Essentially, large-scale, vertical distribution

systems were introduced, with medications delivered through ministries of health to community drug distributors. Integrated treatment for multiple infections was simultaneously introduced in several countries, notably Uganda (2006/7) and Tanzania (2007). It was anticipated that these countries would provide models for others to follow.

Spectacular claims started to be made about what had been achieved, and fearing that it might be side-lined, the World Health Organization decided to seize the initiative. In 2010, the newly established NTD Division released its first global report on NTDs, presenting an overwhelmingly positive assessment. The following year, the WHO published a 'Roadmap' which outlined control, elimination and eradication targets to be reached between 2012 and 2020. This was followed by the London Declaration of 2012. The World Bank; the Gates Foundation; 13 of the world's leading pharmaceutical companies; and government representatives from the United States, the United Kingdom, the United Arab Emirates, Bangladesh, Brazil, Mozambique and Tanzania participated in a joint meeting, held under the auspices of the WHO, at the Royal College of Physicians in London. They committed themselves to achieve the NTD Roadmap Goals, with donors offering hundreds of millions of dollars and pharmaceutical companies offering indefinite supplies of free medicines (London Declaration 2012). NTD control was considered the largest ever global health programme and was included in the complicated targets listed as part of the United Nations' Sustainable Development Goals (U.N. 2015).

Specifically, the new target is: by 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases. The significance of the neglected tropical diseases label, and the need to mention it, is underlined by the fact that the wording of the Goal is muddled. NTDs are a category of different infections rather than a particular disease, such as malaria or tuberculosis. Also, most NTDs are endemic, so they do not present as epidemics, and many of them are water-borne, so it makes little sense to separate them. The peculiar phrasing is a good illustration of how far things had moved away from what is sometimes called evidence-based medicine.

One of the architects of the approach, David Molyneux, openly recognised this himself at an international conference on NTDs in London in 2017. In a keynote speech in which he described the audience as 'employees of the NTD brand', he claimed: 'Whether success or failure, we need to move forward. The Momentum is what is critical' (Molyneux 2017). Such a remarkable statement indicates the degree to which the mass treatment of parasites in Africa and elsewhere has become an agenda that tends to set aside evidence favouring sustaining funding, assuming that increasing the frequency of the mass distribution of drugs is the best way of addressing problems. It also, at least implicitly, recognises that problems exist.

Why the policy fails

Independent research among targeted populations and the underlying data used to promote mass drug distribution has raised serious concerns. Those concerns include high rates of reinfection in the absence of wider socioeconomic changes (e.g. Amin and Abubaker 2017), low coverage levels (e.g. Hastings 2016; Muhumuza et al., 2015), too great a reliance on unpaid (and usually poorly trained) volunteers to distribute medicines (e.g. Parker and Allen, 2011), ethical issues (Parker and Allen 2013b), and compromised political and economic agendas (Parker and Allen 2014). Crucially, there is ample information to show that mass drug administration often fails and that there is little prospect of the selected diseases being eliminated or even systematically controlled (Allen and Parker 2016). This raises questions

about why enthusiasm has persisted and why populations, especially in Africa, have continued to be expected to consume huge numbers of tablets, whether or not they are infected with the particular ailments that the tablets are manufactured to treat.

Compounding matters is the *unfolding crisis associated with antimicrobial resistance*. That crisis is caused by the widespread use of antibiotics, which are becoming ever less effective. There is an urgent need to restrict and regulate their use. Still, it is very hard to do that when other medications are *given out without any appropriate monitoring, and people are told to swallow them without medical checking or testing*.

Reviewing debates about mass drug administration, called *the Worm Wars* on a World Bank website (Evans 2015), reveals how public policy linked to public health in Africa is commonly shaped by strategies designed in places far removed from realities *ground*. It is a form of ‘magic bullet’ medicine, imbued with the power to end poverty and sustained by ignoring social, political. Even biological facts favouring assertions about fantastic targets are assumed to be achievable in a one-size-fits-all manner.

Doubts were raised about the approach before it was implemented by some analysts, notably about the dangers of inadvertently promoting drug resistance and undermining existing health-care systems. Also, *the actual implementation was quickly shown to be too haphazard to have the purported possible benefits*. For example, fieldwork carried out at over a hundred sites in Uganda and Tanzania has found that the uptake of drugs is very mixed (Allen and Parker 2012).

Consumption of tablets can be high in certain contexts, especially where populations are contained, such as refugee and internal displacement camps, and provided alongside food relief (Parker and Allen 2011). There are also locations where understandings of particular diseases and their treatment are well known, and there is an eagerness to participate. This was noted among fishing populations living on islands in the River Nile to the North of Lake Albert in Uganda. Elsewhere, however, sometimes close by, there can be outright rejection. Rumours circulate about the real purpose of distributing free medicines. Even where treatment is focused on children in schools, take-up was found to fluctuate wildly and be average well below what is estimated to be the necessary drug coverage to systematically control infection (Parker and Allen 2011, 2013a). The main reasons why mass drug administration tends to be much less effective than is claimed by organisations, activists and governments promoting it may be summarised as follows.

First, politically and economically marginal populations are the most likely to be infected with neglected diseases and the least likely to have access to information about the infections or appropriate therapeutic care. It is neglected people who have neglected diseases, and vertical biomedical interventions cannot easily address this socio-political problem. Indeed, top-down delivery mechanisms are likely to stress power relations, which more local public authorities resent or resist. In the Panyimur sub-county, north-western Uganda, MDA was failing largely because the treatment programme exacerbated antipathies among the fishing population towards district officials and towards the government (Parker et al. 2012). A crucial factor was officials’ lack of respect towards those supposed to benefit from treatment. There was disinterest in discussing the programmes in public meetings or seeking support from local leaders, such as the traditional chief, leaders of religious groups and local healers.

Second, this *lack of respect for target populations reflects a broader concern about the orientation of MDA programming*. Despite rhetoric emphasising the need for community engagement and a list of sensible WHO guidelines, in practice, mass treatment ends up being worryingly top-down and divorced from realities on the ground.

Third, *unpaid and poorly trained community drug distributors are often used*. They are supposed to understand the purpose of persuading their neighbours to take medicines for diseases that

they often do not know they have, and about which they may have very different local understandings. For those infected with *S. mansoni*, for example, it is possible to have no signs or symptoms of infection and to feel quite well during the early years of infection. In such circumstances, it is hard for community drug distributors (whose biomedical understanding of the signs, symptoms and aetiology of the NTDs is typically quite limited) to persuade their neighbours to consume medicines regularly. A similar issue arises with lymphatic filariasis. The drugs need to be given to people well before they develop symptoms. Also, in places like coastal Tanzania, the symptoms themselves are not normally connected with the parasitic infection but with a range of other causes.

Fourth, *there are important differences between the kinds of tablets being offered and the diseases being treated*. Some tablets are welcomed. Albendazole is a good example. It tastes like sweet, and it has an observable effect: if given to people with particular kinds of intestinal helminthiasis, the worms pass out in the stool.

In contrast, praziquantel tablets are large, several have to be swallowed at once and they smell horrible. In addition, they have side effects if taken by individuals heavily infected with *S. mansoni*. People may feel sick for days, and in Uganda, stories were circulating about people dying from the drugs. Consequently, integrating treatment into a homogeneous and vertical delivery system is far from straightforward and may be counter-productive. If one drug is disliked, none will be taken (Allen and Parker 2011).

Fifth, *a lack of engagement with targeted populations, including poor explanations for the rationale for mass drug distribution and ineffective health communication about the signs, symptoms and aetiology of NTDs*, lends credence to conspiracy theories. Without such engagement, rumours about population control and sterilisation campaigns can escalate into dangerous situations. There were, for example, violent riots in Tanzania in 2008 (Hastings 2016), initially triggered by attempts to implement MDA for schistosomiasis in schools.

Sixth, given the *poor communication, ethical issues arise about the treatments but tend to be brushed aside*. Ethical issues apply particularly to the treatment of children, who are effectively compelled to take medications without their parents being properly informed or their teachers being properly briefed. Children have occasionally been compelled to take the tablets after running away, and angry parents berating the teachers are not uncommon. Sometimes too, it has been observed that the distribution in schools is of the wrong tablets, the wrong combination of tablets and the wrong health education leaflets for the medication (Parker and Allen 2013b). In certain places, such as Ukerewe Island in Lake Victoria, these problems have been overcome and observed take-up in schools is high. However, elsewhere, school distributions are partial. Unopened containers of tablets can be found in school storerooms. Teachers lacked the confidence or commitment to distribute them to the children as instructed to do (Allen and Parker 2016).

Seventh, *rigorous assessment of mass treatment often does not occur*. Even the most basic information tends to be guesswork, and treatment rates are commonly inflated. This became apparent from combining participant observation, careful collation of data from community drug distributors and checking of reported drug uptake data as it passes from dispersal points to national reports (Parker and Allen 2013a). For MDA to have clinical benefits, those being targeted have actually to consume the drugs being offered in the correct doses, and while this happens in some cases, in other cases, it does not. Without knowing what is happening at the very local levels, it is impossible to address this issue. In practice, it is mostly ignored.

Eighth, evidence from villages and assessments of MDA programs at the district, national and international level has revealed that some of the literature emphasising positive results, published even in well-respected medical journals, is *linked to securing and sustaining grants*.

There is a pronounced tendency to de-politicise public health (Parker and Allen 2014). *Assertions emphasising poverty alleviation are conflated with dubious data, and many passionate supporters of MDA end up believing their own rhetoric.* This is apparent from debates about controlling lymphatic filariasis in Tanzania and controlling soil-transmitted helminth and schistosomiasis in Kenya and Uganda.

Lymphatic filariasis in Tanzania

Lymphatic filariasis (*Elephantiasis*) is endemic in coastal areas of Tanzania, with most of the population infected, many without any experienced symptoms until middle age. To have any chance of interrupting the transmission so that that elimination would be feasible, the necessary annual rates of drug take-up have been variously estimated at 65%–80% over four to six years (Mohammed et al. 2006) and 70%–90% over six or more years (Michael et al. 2004). In areas where the prevalence of microfilariae is greater than 10%, such as coastal Tanzania, Michael et al. (2004) have suggested that coverage levels of 90% or more may be necessary. The research found that there was no prospect of that target being reached.

Away from sentinel sites, regularly visited, the highest take-up recorded rates were around 70% near Muheza town in 2007, where there is a large hospital. Elsewhere in both Muheza and neighbouring Pangani districts, rates were often less than 50%. At one coastal site in Muheza district, a survey of 146 homes in 2007 found a self-reported drug take-up rate of 22%, dropping from 47% in 2004. A further survey in 2011 of 144 homes found a slightly higher self-reported uptake of 34% for 2010. *There is no way that lymphatic filariasis can be sustainably controlled, let alone eliminated, with these levels of drug uptake. Those treated are likely to be reinfected.*

Moreover, the actual consumption of drugs was undoubtedly lower than that reported. While some recipients had taken the drugs from the distributors, it turned out that they either did not swallow them or only swallowed a partial dose (Parker and Allen 2013a). No serious effort had been made to communicate the reasons for MDA. The vast majority of people had no idea that mosquitoes were the disease vector, even after multiple rounds of treatment.

The fact that taking the tablets had no discernible effect on those with hydroceles or swollen limbs confirmed to many that the drugs were at best defective and had a sinister purpose. There was little prospect of the situation altering without a radical change in approach, which is much more holistic in orientations and has ‘buy in’ from the population. However, the responses to the publishing of such findings from leading promoters of mass drug administration deny that such facts exist or claim that it is unacceptable to present them openly. Medical journal publications asserted that reporting problems with the programme are ‘disrespectful to endemic countries’ and ‘unethical and grossly negligent and “cynical”’ (Molyneux 2012).

Schistosomiasis and soil-transmitted helminths in Kenya

Such defensive responses have similarly characterised closer interrogation of the original case made for deworming in schools and mass drug administration in general. *It has been pointed out that distributing the correct drugs, in the right doses, to millions of mainly impoverished people cannot be done cheaply if it is going to be effective.* Moreover, claims about historical successes with deworming campaigns in the United States and Japan have been reassessed. The recorded improvements in health outcomes resulted from combining medical treatments with broader-based public health measures and overall improvements in living standards linked to behavioural changes in the populations. Provision of clean water and regulation of access to places where infection occurs were important too.

In addition, a reassessment of the data used for the influential article by Miguel and Kremer on western Kenya, which has so often been cited as demonstrating the significance of deworming in African populations, has revealed that the study was flawed. As presented in the paper and repeated in numerous subsequent reports and publication, the results are questionable. These points were raised in a re-study of Miguel and Kremer's original data set by Alexander Aiken, Calum Davey, James Hargreaves and Richard Hayes (Aiken et al. 2015; Davey et al. 2015). It was found that there were problems with how the original data were collected, that questionable assumption was made in the analysis and that – even if Miguel and Kremer's assumptions are accepted – the econometric calculations as presented in the article are flawed. The headline findings cannot be correct. It triggered a backlash from economists for whom the work of Miguel and Kremer is viewed as seminal in its use of econometric methods and acute discomfort among public health activists who had taken the findings at face value. It was this debate that becomes the focus of the World Bank's 'Worm Wars' website.

Overviewing and commenting on the arguments, one political economist who had himself worked with Miguel and Kremer on their Kenyan research had to admit that there were problematic aspects to their analysis. But he then went on to observe:

To me, the real tragedy is that 18 years after the Kenya deworming experiment (which was not even a real experiment), we do not have large-scale, randomised, multi-country, long-term evidence on the health, education, and labour market impacts of deworming medicine. This is not some schmuck cause. This is touted as one of the most promising development interventions in human history.

(Blattman 2015)

However, the statement is symptomatic of disciplinary silos. By that time, more than 40 randomised control trials had already made available their results. Data from all those trials are combined and reanalysed as part of a 'gold standard' process of rigorously assessing public health interventions, following the Cochrane Review procedure. This has been done regularly and has found that *deworming has minimal effects*. Indeed, by 2015, the accumulated data from random control trials indicated growing evidence that deworming for soil-transmitted helminths has no effects at all. Comparable findings were subsequently reported from a separate analysis of a more inclusive range of available studies, using a wider range of methods, including quasi-randomised trials, and experiments, including most deworming studies for soil-transmitted helminths and schistosomiasis. That, too, concluded that *deworming has a little discernible effect on health outcomes, school attendance or cognition* (Welch et al. 2017).

The response to all this from enthusiasts for deworming, including the World Health Organization's Advisory Group on Neglected Tropical Diseases, was extraordinary (De Silva et al. 2015). They set aside the information and suggested that reviewing random control studies is of little value in guiding global deworming policy. The response was ironic: a reason why mass treatment activists had foregrounded the paper by Miguel and Kremer in the first place was that it used a step wedge econometric technique that purportedly replicated random control trials. A further twist occurred in 2019 when Michael Kremer shared the Nobel Prize in Economics for his approach to alleviating global poverty by using 'field experiments to test a range of interventions that could improve school results in western Kenya'. The fact that it did not do so and that the methods used have been demonstrated to be flawed was, it seems, irrelevant.

Prospects for controlling Africa's parasites

An overall evaluation of all mass drug administration programmes in Africa is difficult to make with much confidence. The approach may likely work for some infections, for some people, in particular places. It seems, for example, combining drug distributions with other interventions. This involved bed nets and effective transmission of health messages, which may have positively affected rates of lymphatic filariasis and onchocerciasis in parts of West Africa. However, so much of the reporting about mass drug administration remains affected by overblown assertions, questionable data, debatable ethics, and both power dynamics and economic motivations that really should be challenged more than they are. There is no doubt that people infected with debilitating parasitic diseases are likely to benefit from treatment. Still, the far-reaching claims about benefits occurring by treating everyone in endemic regions are unlikely to accord with reality. Some arguments, such as people dewormed in a particular year in their school end up earning more money a decade later than they would have done if they had not been treated in that year, are almost farcical.

In the parts of Kenya where Miguel, Kremer and their colleagues collected data in the 1990s, detailed studies suggest that there has been some improvement from helminth control in places where new clean water sources have become available. Otherwise, infection rates are much the same as they were. Unsurprisingly, where there is no clean water, school children reinfect each other even if they have been treated. Similarly, in locations where Miguel and Kremer found schistosomiasis to be a concern 20 years ago and in other parts of Kenya where mass drug administration has occurred, there continue to be both high rates of infection and high intensities of infection (Lelo et al. 2014).

Significantly, in neighbouring Uganda, which has been implementing annual rounds of mass drug administration for schistosomiasis for over a decade, new disease prevalence surveys have occurred since 2016. Assessments made at the time mass treatment began between 2003 and 2006 indicated around 4 million cases of infection (Fleming et al. 2009). That would have been about 15% of the population in 2005. The most recent estimate is over 12 million infections, or about 29% of the current population (Exum et al. 2019; PMA 2018). The intensity of infections is also assessed to be very high. The programme of control by mass drug administration has manifestly failed. If anything, results indicate that the situation has become significantly worse. Similar findings have also been reported from Sudan, where mass treatment for schistosomiasis was pioneered in the 1980s and 1990s. Current rates are as high as they ever were (Amin and Abubaker 2017).

Meanwhile, a growing body of work has accumulated evidence about the long-term consequences of mass drug distributions on drug resistance and the immune systems of those who swallow them. While parasitic worms infect massive numbers of people, illnesses that arise are things they live with for most people. Possibly no symptoms are noticed. That is partly because of how parasites and humans have co-evolved. One consequence is that humans from populations that are commonly infected have altered immune responses. Elimination of worms may, in turn, prompt unintended consequences. It may trigger an immune-endocrine environment connected with cardiovascular diseases and diabetes, both of which are growing problems in Africa (R.A. 2020).

None of this has prevented the continued roll-out of mass drug administration in one African country after another. A massive new project that combined multiple random control trials called Deworm3 is currently underway in Benin, India and Malawi (Ásbjörnsdóttir et al. 2018). Having found the results from scores of other random control trials unacceptable

because they have shown that mass drug administration does not work, this Deworm3 project seems to be aimed at producing a more positive outcome to justify ongoing funding priorities. Unsurprisingly, recent research in Malawi suggests that those required to implement the protocol are highly sceptical about what is going on (Pearson et al. 2020).

Policy implications

A considerable amount has been invested in these schemes, with many people being employed to sustain funding and meet the coverage targets. As a result, it is hard to shift direction. Indeed, the approach has become an aspect of the public relations of pharmaceutical companies that are supposedly providing millions of distributed tablets free of charge. It enables them to protect drug patents, and they can claim the market costs of the tablets against their tax payments in the rich countries in which they are based. The credibility of departments in some schools of public health and the World Health Organization is so connected with NTD control activities that critical scrutiny is almost impossible. Major donors and implementing NGOs do not really want to know that things are not going to plan.

Hopefully, the pause in activities in 2020 and 2021 due to the COVID-19 pandemic will allow for a period of reflection and perhaps revision of plans. If post-COVID-19 approaches are more of the same, international agencies promoting mass drug administration really need to be challenged, not least by African governments. Possibly, that will be an easier thing to do in a world affected by *Black Lives Matter*, and the Rhodes Must Fall movements, and with growing criticisms of what is referred to as the 'White Saviour' complex. There are certain aspects of what has occurred which resonate with colonial-era dynamics.

Would it be possible to treat entire populations in the United Kingdom or the United States without those being expected to consume medications being properly informed and being represented in the implementation mechanisms? Would it be acceptable, or even legal, to turn up at schools and expect all the children to take handfuls of tablets without parental approval? These are serious matters that have barely been addressed. *It is hard to avoid the conclusion that the treatment regimens introduced in African countries have the qualities of massive medical experiments on populations that have no voice.*

A commitment to combating horrible diseases caused by parasitic infections under the NTD umbrella is a potentially positive development. That is all the more reason to avoid treating fund-raising rhetoric as facts and to learn lessons from what has happened with such large-scale vertical schemes in the past. That means placing independent assessment and serious engagement with targeted populations at the heart of policy. Deworming and mass drug administration can potentially assist poor and marginal people when those people are convinced that treatment is in their interests and when treatment is properly monitored and combined with other measures necessary to improve well-being and limit reinfection. Fishermen, for example, appropriately ask why they should take a praziquantel tablet if they are unaware of being infected with schistosomiasis and know that they have no option other than to continue fishing in waters in which the parasite is found. They want credible answers before swallowing four large and unpleasant smelling tablets. Far from being 'cynical', making that point ought to be common sense. There is an opportunity to help millions of people. It would be disgraceful to waste it. Unfortunately, investigation of what has happened up to now demonstrates that, in practice, approaches to NTD control in Africa are driven by factors other than information about what happens to supposed beneficiaries. It is in danger of becoming a public policy scandal of global proportions.

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BETWEEN MARKETISATION AND PUBLIC INTEREST DISCOURSES IN HEALTH POLICY DELIVERY

Debating solidarity and universal healthcare in South Africa¹

Lauren Paremoer

Introduction

This chapter illustrates how policymaking processes about seemingly technical questions also involve debates about broader philosophical questions concerning the boundaries and purposes of political communities. More specifically, I show that reverting to market logics to settle political questions is problematic. It encourages a focus on technical issues rather than fundamental questions about the forms of collective well-being political communities pursue. In this way, policymaking can obscure or avoid engaging in debating a central political question: *who should get what, when and why?* In health policy, addressing this question entails a public and critical engagement with three fundamental questions: what kinds of social relations are created by market-based strategies to improve collective and individual well-being? What vision of the “good life” is implicit in these strategies? Is this vision of the good life consistent with the idea that all citizens should enjoy full and equal participation in the community’s social, cultural and political life (Marshall 1964)? These questions are simply elided by presuming that for-profit market mechanisms are the “best” or are “unavoidable” mechanisms for promoting public health.

In the analysis that follows, I draw heavily on public comments and submissions that formed part of public consultation processes carried out on various National Health Insurance (NHI) Bills, the Davis Tax Committee, and as part of the Competition Commission of South Africa’s inquiry into the South African Health Market (Health Market Inquiry or HMI). The submissions offer insight into the thinking of for-profit healthcare businesses and lobby groups about what solidarity means in the context of promoting equitable access to healthcare, and more broadly, what kinds of social relations South Africans should build to address the legacy of apartheid. It is important to note that these submissions cannot offer insight into public opinion more generally. Therefore, I try to avoid inferring that they reflect broader public sentiments about the South African government’s efforts to regulate commercialised healthcare.

Locating the policy debates: submissions on the NHI, HMI and Davis Committee in brief

The NHI has officially been in development since 2011, when the National Department of Health (NDoH) released a policy paper entitled “NHI in South Africa” (PMG n.d.). A White Paper, “National Health Insurance for South Africa: Towards universal health coverage”, was released in 2015, a Draft NHI Bill was released in 2018 and the final Bill was tabled in parliament in 2019. These documents consistently emphasised that the NHI would be a prepayment system based on a system of “‘social solidarity’ [which] means providing financial risk pooling to enable cross-subsidisation between the young and the old, the rich and the poor and the healthy and the sick” (Republic of South Africa 2019, p.7).

The Davis Tax Committee was established by the Minister of Finance in 2013 to “assess our [South African] tax policy framework and its role in supporting the objectives of inclusive growth, employment, development and fiscal sustainability” (<https://www.taxcom.org.za/>). The Committee submitted its closing report in April 2018. During its tenure, it explored proposals to fund the NHI. Finally, the HMI was established in 2013 to examine whether anti-competitive practices occur in the private health sector. Its investigations were partly driven by concerns articulated by the Minister of Health and noted in Terms Of Reference for the HMI (Republic of South Africa 2013, p.80), that high private healthcare costs potentially undermine the government’s obligation to realise the constitutional right to equitable access to healthcare.

Conceptions of social solidarity emerging from debates about decriminalising healthcare

The discourses emerging from the South African case suggest that the postapartheid state is attempting to foster social solidarity in the context of a process Nikolas Rose (1996) calls the “death of the social”. In South Africa, this is expressed as a tendency to represent the “rich” and “poor” as two nations divided by a chasm: their status in the market. Political actors have different sentiments about the legitimacy of this chasm. However, across the political spectrum, there is *sometimes* a tendency to treat very real inequalities in wealth, health and power that characterise South African society as producing a social reality in which people located on opposing ends of this chasm live in parallel worlds that never intersect.

This chapter explores how debates about creating a health system in which the public sector plays a dominant role, and is used by the rich and poor alike, disrupt this assumption by forcing both the “poor” and “wealthy” alike to confront the common ways in which the commercialisation of healthcare undermines their physical health and socioeconomic status, and, alongside this, promotes the “growing commodification of everyday life” (Barchiesi 2007, p.41). The NHI and HMI both expose how commercialised healthcare undermines the well-being of rich and poor alike by treating them like “speck[s] of capital” (Brown 2016, p.3) available to be “sacrificed” to maintain the profitability of medical schemes or for-profit care providers. However, it also shows how resistant defenders of commercialised healthcare are to institutionalising the right to health in a manner that exposes wealthier citizens to a lived experience that defines life for most of the population: entrusting the state with their basic needs, with their lives. This resistance to the postapartheid state’s efforts to create solidarity through the shared use of public health facilities suggests that “the social” as an object of governance and a collective identity fails to resonate with citizens who conceptualise the commercial or for-profit sphere as a world that is and should forever be kept apart from the “lifeworld” (Habermas et al. 1984), i.e. a sphere in which mutual understanding as the basis for collective action is not only possible but desirable.

Solidarity without society?

In a 1996 essay, Nikolas Rose speculated whether “the social” was disappearing as a “key zone, target and objective” of governance (p.327). Historically, he argued, governments had been preoccupied with improving the well-being of the entire population and, therefore, regulated social relations and the economy in society’s interests. The nomenclature of the welfare state – social justice, social insurance, social welfare – reflects this orientation. Rose argues that by the mid-1990s, the importance of “the social” as an object of governance disappeared. Instead, both states and citizens – whether conservative or progressive – were increasingly orienting their efforts to a new object of government: the community.

If the social is a universal category encompassing everyone within a national political territory, Rose argues that the community is both particularistic and transcendent. It is transcendent because it is located within a national territory but not necessarily contained by it. It is particularistic because community membership is not universal: communities are by definition “unique” in some respect. Their distinctiveness is constructed through intertwined self-definition and state institutions’ efforts to “know” and regulate communities based on their specific characteristics. Place (e.g. inner-city communities), shared sentiments (e.g. human rights community), cultural practices (e.g. artistic community), physical conditions (e.g. HIV/AIDS community), a political cause (e.g. ecological justice community) – all of these may all serve as the distinctive markers of a particular community and animate its efforts to organise and advance itself.

Rose’s notion of governance through community captures the importance of specific communities (e.g. “the poor”) as objects or targets of governance in post apartheid South Africa. However, the South African dynamic is less defined by the “death” of the social than its presumed status as a “problematic unity” (Dean 2010, p.678). Thabo Mbeki (2004) expressed this sentiment of South African society as a problematic unity as follows:

South Africa is a country of two nations. One of these nations is white, relatively prosperous, regardless of gender or geographic dispersal. It has ready access to a developed economic, physical, educational, communication and other infrastructure...The second and larger nation of South Africa is black and poor, with the worst affected being women in the rural areas, the black rural population in general and the disabled. This nation lives under conditions of a grossly underdeveloped economic, physical, educational, communication and other infrastructure. It has virtually no possibility to exercise what in reality amounts to a theoretical right to equal opportunity, with that right being equal within this black nation only to the extent that it is equally incapable of realisation.

(Thabo Mbeki’s speech 29/05/1998)

For example, in the struggle for HIV/AIDS treatment, the HIV/AIDS “community” in South Africa has always insisted that it is not somehow separate or distinctive from “society” as a whole. Moreover, all the different fragments of postapartheid society can and should work together to achieve the right to health. Thus, during the early years of the epidemic, activists framed HIV-positive persons and their challenges as emblematic of those confronting most South Africans. They convincingly made the case that the HIV/AIDS community was not distinctive due to their HIV status. Instead, they were distinctive because of their political marginalisation by the denialist Mbeki government, which refused to implement a public sector HAART programme. Activists argued that people living with HIV/AIDS were typical members of society who, like their peers, were entitled to equal treatment.

Like many South Africans, treatment activists argued, their right to equal treatment was undermined by postapartheid realities – socioeconomic marginalisation, neoliberal macroeconomic policies, unjustified discrimination, and negligent treatment by unresponsive and unaccountable government officials and the private health sector. In the specific case of People Living with HIV/AIDS (PWAs), these inequalities culminated in a particular form of unequal treatment: stigmatisation and a lack of access to antiretrovirals. Thus, the struggle for HIV/AIDS treatment was a struggle for *social* rights, not *community* rights. In this way, treatment activists positioned PWAs as a group whose plight was not special and distinctive but instead a specific example of certain “universal” truths about how the poor experienced postapartheid citizenship in a neoliberal global order.

This framing is partly why South African HIV/AIDS activists insisted that their struggle was not only for HIV-positive people but for all people who depended on public institutions. This is why the movement consistently pointed out that HIV/AIDS treatment programmes should not be introduced through privatised programmes or vertical interventions but rather through holistic, government-run programmes aimed at health systems strengthening. In the words of Leslie London (2016, p.201):

[i]t is particularly as a result of the HIV epidemic that increased attention has been directed to the links between a rights-based approach to health and the building of strong health systems. South Africa’s efforts to expand access to health care through a National Health Insurance (NHI) must therefore be seen within the context of an evolving body of legal and public health analysis, that seeks to understand how human rights and public health work synergistically to promote human well being.

Despite the political gains secured by HIV/AIDS activists, promoting health for all remains complicated by the continued influence of a commercialised approach to providing social services in post apartheid South Africa. The state’s approach to realising the social dimension of citizenship is committed to extending means-tested rather than universal benefits. For Marshall (1964), the concept of social citizenship suggests that the welfare state is important because it raises the baseline level of well-being and incorporates citizens into society through a system of universal entitlements. To access these entitlements – e.g. free health-care, education, subsidised housing – citizens have to engage with a common set of institutions. One of the most important functions of the welfare state is to embed public institutions in citizens’ everyday lives. This routine contact with the state creates a common experience of citizenship and a sense of being equal members of society.

In South Africa, social assistance generally targets the very old, very young and people who are unable to work due to poor health or physical disabilities. Consequently, for policymakers, the welfare state is “relevant” to middle-class citizens primarily in their capacity as taxpayers – not as potential beneficiaries. A fundamental tension in the debates about reforming the health system is thus generated by the health sector’s somewhat exceptional status as a universaliser – i.e. a sector preoccupied with the ideal of creating a healthcare system that includes both rich and poor, black and white, urban and rural. As shown below, one of the striking aspects of discourses about NHI and for-profit markets in health is that they feature deep ambivalence towards all citizens using public health institutions, which are perceived as exclusively “for the poor”. Often this ambivalence centres on the government’s claim that a united postapartheid “society” exists or should exist. Also, whether it can somehow be governed as a unified object where citizens could be embedded in a shared lifeworld – or that they could start building one through health reforms that ultimately seek to affirm the sanctity of life itself.

Solidarity without society? Debating the role of the private sector in universal health coverage

Government and ANC discourses

The discourses by the African National Congress (ANC) government about the NHI suggest that efforts to decommercialise healthcare are part of a project for recovering and restoring the humanity of citizens in the face of for-profit markets in health services. As the quotes below suggest, these efforts to regulate commercialised healthcare are underpinned by a critique of the market as something that fragments and alienates South Africans from each other even under circumstances, such as promoting public health, where social welfare is defined by interdependence. This sentiment is reflected in Shisana (2008, p.4, emphasis my own), who argued that the NHI “promotes redistribution and sharing of resources between the public and private sectors and hence it meets our *transformation agenda*” and that it is “an instrument to *end the race, class, gender divisions that continue to plague South Africa*” (Businessstech.co.za 2019, my emphasis).

The NHI Green Paper (Republic of South Africa, 2011) was introduced under the then Minister of Health, Dr Aaron Motsoaledi. He criticised “‘doctorpreneurs’ who study medicine just to make millions” and has described the NHI as fighting the “uncontrolled commercialisation” of healthcare (KwaZulu Natal Department of Health 2011). Motsoaledi also criticised the idea that either personal or national wealth should determine access to medical care, arguing that “It’s a self-defeating prophecy to keep on saying we don’t have the means. There are good services in countries with fewer facilities and staff than us” (Bauer 2011).

The government has been emphatic that universal health coverage (UHC) can only be realised by regulating the private healthcare to create a more competitive market and more affordable, efficacious and rational service provision. Thus, systemic reforms are needed because public health sector shortcomings cannot be addressed without acknowledging its interdependence with the private sector. Tebogo Phadu expressed this idea as follows:

the two-tier [health] system is one where you have parallel development of the public and private sectors. This vigorously reproduces itself, characterized by the reproduction of racial, and class inequalities, and stratified access and skewed funding of health care provision. The public/private [sic] reality from the ANC’s point of view is that this system needs to be transformed. It cannot be business as usual... There is a view, and this the ANC has also observed in the current debates, that one should try to confine the present phase of health care reform to simply fixing the public sector and then postpone reform of a seemingly workable private sector. To improve the public sector within the current framework of the two-tier health care system will only scratch the surface of the legacy of inequalities in our society. Post-1994 health care reform has involved the depletion of health resources in the public sector. But it has equally seen the expansion and accumulation of these resources by the market-driven yet relatively regulated, health care sector – the private health care sector... The perpetuation of the two-tier system will not take us anywhere. We have to connect public sector reform with major reform in the private sector.

(Helen Suzman Foundation 2009, p. 9)

Retrospectively, the ANC argued that the NHI process should alter the public/private dynamic to ensure the private sector is an adjunct to the public interest. The market is, where possible, an adjunct to social justice. Stated differently, the NHI is envisioned as an

intervention that should subvert the capacity of for-profit institutions to steer health policy at the expense of public health. The private sector's tendency to ration services based on ability to pay has led government officials to describe it as inhumane. For example, in testimony by the Free State Department of Health to the HMI, an official gave examples of how private patients get "dumped" in public hospitals when their medical aid runs out. He testified that private ambulances refuse to care for patients without medical aid and take them to public facilities even when private ones are closer. The official commented on this dynamic by saying that "Your destination [public or private] is determined by your ability to pay" and concluded by arguing that "some of these things don't need regulation, *they just need us to be more human*" (Section 27, 2016, my emphasis).

Most importantly, the NHI, HMI and the Davis Commission do not make a case for dismantling the private health sector. Instead, in different ways, government discourses about these policies make three points. First, that for-profit markets in healthcare create mutual vulnerabilities for the middle class and poor. This is reflected in then Health Minister Motsoaledi's statement (Parker 2012) that "In the ANC there's no policy that says we must abolish private healthcare. That's not what we're fighting. What we're fighting are the excessive prices [of private healthcare], which even the middle class can no longer afford". He has argued that this is necessary because "Being in a hospital now is like being in a supermarket, but at least in a supermarket, you are certain of the prices" (Motsoaledi in Bateman 2012).

Second, mutual assistance is required to overcome these vulnerabilities. Minister Motsoaledi's successor, Minister Mkhize (in Child 2019) stated that it is a "weird idea" to argue that the NHI entails nationalisation and has emphasised both public and private sectors have "a common interest to collaborate in pursuit of health coverage". These points highlight that mutual assistance is important from an affordability perspective and that there can be mutual benefits to both the public and private sectors. Lastly, the ANC government discourses point out that mutual assistance requires prioritising the rebuilding of public health institutions. This is in tension with point 2 above. The government discourses suggest that the public and private sectors operate according to fundamentally opposing discourses – one humane with the sanctity of life at its centre (public sector); the other operates according to a logic where human life is instrumentalised to generate profits for private accumulation (private sector).

While not amounting to the nationalisation of the private sector, the NHI's insistence on the rebuilding of the public sector and the expansion of its user base to include the middle class does, in this sense, undermine the legitimacy of commercialised healthcare. Presumably, encouraging South Africans to use public institutions that disrupt the connection between wealth and health will also serve an ideological function by signalling spaces – e.g. healthcare – that can again, at least potentially, be thought of as "no-go areas" for profit-oriented markets. This is reflected in Dr Shisana's statements about the NHI as an entry point for driving a broader social transformation agenda oriented around ending divisions – i.e. social divides driven by inequalities that limit or disrupt South Africans' openness to building a shared lifeworld.

Private sector discourses

Private sector actors insist that institutions should legitimise and protect individual choice, autonomy and dignity, values that are central to liberal conceptions of the individual. To the extent that healthcare reforms threaten these values, they are seen to represent the "beginning of the end" of the liberal democratic aspects of the postapartheid state. This line of thought is present across various responses from actors arguing that commercialised

healthcare protects both individual freedom and social welfare. The examples below aim to illustrate this. The Free Market Foundation (FMF), an independent public benefit organisation established in the 1970s, describes itself as “argu[ing] for observance of the rule of law, equal democratic rights, equality before the law, constitutional protection for all, and a free market” and as seeking the support of South Africans that “choose economic freedom and respect for private property in preference to socialism/communism and collective property ownership” (FMF 2019). Regarding the NHI, the FMF argued that the White Paper “provides no detail as to how and why it is necessary for privately contracting parties to adhere to the principles of access, social solidarity, equity, efficiency, health as a public good, affordability and effectiveness” (FMF 2016a). It also argues that the government should focus on improving the quality of public services for the poor, and should “not [be] meddling with those of the people who are obtaining care for themselves through their own resources” (FMF 2016a, p.20) as this would be “counterproductive and unnecessary” (FMF 2016b, p.2).

Similarly, the Hospital Association of South Africa (HASA), a non-statutory body representing private hospitals, argues that the NHI White Paper could be deemed unconstitutional. It undermines citizens’ rights of freedom of association (by compelling mandatory contributions to the NHI fund), self-determination (as compulsory membership limits patient autonomy and choice), and bodily and psychological integrity (because the NHI may compromise their access to desired or necessary services). Furthermore, HASA argues that if the NHI undermines access to already-existing health services, e.g. health insurance or technologically sophisticated curative care, this could violate the government’s obligation to protect, promote and progressively realise the right of access to healthcare (HASA 2016, p.33).

HASA’s rights-focused analysis also extends to the rights of service providers. It argues that an NHI that “impinges dramatically upon the ability of healthcare service providers to earn an income” will undermine their dignity (HASA 2016, p.47). Furthermore, suppose medical schemes are reduced to offering only complementary cover, HASA argues, the NHI will effectively be violating their rights to property. It “dispossess medical schemes of their right to provide and be reimbursed for a comprehensive range of healthcare services, [which] constitutes an ‘expropriation’ of property, as contemplated” (HASA 2016, p.46). Furthermore, HASA argues, the NHI potentially undermines individuals’ freedom “to be left alone” (HASA 2016, p.26).

Significantly, the submission makes no mention of the poor and how they may benefit from introducing the NHI, its potential to contribute to restorative justice in light of the enduring health legacies of apartheid or even of how relatively wealthy members of medical schemes may benefit from greater private sector regulation. The submission mentions inequality only to argue that the NHI’s single-purchaser model will create an “inequality of power [that] leaves healthcare service providers vulnerable to, dependent upon, and financially exposed to the NHI fund” (HASA 2016, p.54). Here, solidarity is mentioned only once: when quoting a section of the bill referring to the pooling of funds as promoting solidarity.

In short, HASA’s emphasis on the NHI as a policy that introduces numerous unjustifiable infringements on individual rights is a rejection of the idea that the structure of postapartheid society implies the “responsibility of the state and wealthier households and companies for the health care of impoverished people” (Black Sash 2011, p.42). Rather like many critiques of the NHI that emphasise its ability to harm the economy and the private health sector, it is underpinned by the fear that it will result in “equal treatment but of a very low standard” (Helen Suzman Foundation 2016, p.14).

Other organisations advocating for profit businesses made similar comments. AfrBusiness (2016, p.1) describes itself as “a non-profit business rights watchdog that was established in

2011 by senior business individuals... to appeal to the Afrikaans community in the business world [and] to take part in the public debate and to act as spokesperson for the Afrikaans business community". AfriBusiness argued that the government's emphasis on solidarity and resource sharing is premised on an "unfounded belief" that the state should "provide free health care to all citizens [arguing that t]his idea of free healthcare pertains mainly to political and social objectives by the ruling party and does not form part of any obligation placed on the state by the Constitution" which only requires that the state "provide a way to have access to healthcare services, not to provide free healthcare for all" (p.12). It argues that the private healthcare sector ensures access to healthcare services in South Africa. To AfriBusiness, the 2015 NHI Bill represents "a political decision ... justified by social need" and that the government's embrace of this policy is "fatally flawed" (AfriBusiness 2016, p.4) because it ignores the fact that if no economic growth and funds are "flowing from contributors in the economy, then there can be no NHI" (p.5).

The South African Institute of Race Relations (SAIRR) and the South African Private Practitioner's Forum (SAPPF) echo this argument that priority should be given to protecting the macroeconomic stability and the private sector. The SAPPF (2016, p.8) argued that "the private health sector is a national asset that contributes significantly to enhancing access to health care and thus should be nurtured". Therefore, SAIRR (2016, pp. 26–7) pleads for "pragmatic alternatives" that won't end up "destroying the private sector, as the NHI envisages".

These arguments presume that the continued commodification of health services is compatible with creating a more just health system, provided that more low-income citizens gain access to private healthcare. According to private health sector advocates, this can be achieved through mechanisms such as government-financed medical vouchers designed to purchase either private or public sector services and regulations permitting the creation of private medical schemes and hospitals for low-income individuals. The SAIRR (2016, pp. 26–7), for example, argues that this is "a far better option than destroying the private sector, as the NHI envisages" because these are "pragmatic alternatives ... [that] will also help the economy" and will provide a welcome signal that South Africa remains open for business". It will also "give all South Africans a realistic prospect of upward mobility and a better life overall". In contrast, the NHI is repeatedly framed as something that will "trigger downgrades, further restrict growth, weaken the rand and add to the unemployment crisis" (SAIRR 2016, p.24).

The perceived virtue of increased commercialisation is that it preserves freedom of choice to "let people decide for themselves where to spend their money" and limits government to being a "financier for the poorest of the poor" (FMF 2016a, p.33).

The emphasis in private sector discourses on UHC as being reducible to financing and procurement mechanisms is indicative of a resistance to engaging with the NHI as a normative and political project. This framing more frequently dominates government discourses. Private sector discourses about the NHI consider policymaking a technical and legal process guided by facts, not norms. For example, the FMF argues that "Whether health care is a public or private good is not a matter for normative specification. It depends on the facts of the case, specifically whether it is rival in consumption and whether people can be excluded from access to it" (FMF 2016a, pp. 7–8).

In contrast, government discourses are closer to the WHO position that:

Some of the greatest waste and inefficiency occurs when health is treated as a commercial commodity, to be bought and sold, assuming that market forces will somehow self-adjust to iron out any problems. This seldom happens. What you see instead is

unnecessary tests and procedures, more and longer hospital stays, higher costs, and the exclusion of people who cannot pay.

(Chan 2008)

On its part, Discovery Health (DH), one of the largest South African medical schemes, publicly endorsed the NHI approach while constantly emphasising that it and other private sector stakeholders must play a meaningful role in the policy formulation process. For example, DH has emphasised its capacity and enthusiasm to share its expertise in managing and administering health financing schemes to support NHI implementation. It proposes to assist the government with data gathering and analysis, facilities management, health informatics, and insurance risk management (DH 2011, pp. 34–40). Consequently, its position is closer to the idea that private health sector actors should act as “knowledge banks” to use Bond’s (2014) description of the World Bank’s role in managing the SA transition.

Reflecting on rival conceptions of the NHI

What do debates about the decommercialisation of healthcare reveal about conceptions of solidarity and its limits in post-apartheid South Africa?

Solidarity is – unsurprisingly – conceived of in contradictory terms depending on how one thinks about the market and its potential to reconcile divisions in society. As the discussion shows, the for-profit healthcare sector never denies the need for solidarity. However, their engagements with the NHI and HMI processes suggest that they define solidarity as a form of “partnership” for mutual benefit. The idea that solidarity entails sacrifice is not very present in this conception of the term. Neither is the idea that solidarity is connected to obtaining an objective that is in some sense transformative and thus necessarily critical of, and seeking to disrupt, the existing social order.

For example, the for-profit sector is resistant to institutionalising the right to health to expose wealthier citizens to a lived experience that defines life for most of the population: entrusting the state with their lives. Most importantly, neither the HMI nor the NHI suggests nationalising the private sector nor compel citizens to use the public sector. Nevertheless, there remains a deep antipathy to any suggestion that “wealthy” citizens should be encouraged to not only subsidise but use public facilities. This resistance to the postapartheid state’s efforts to create solidarity through the shared use of public health facilities suggests that in some quarters, “keeping apart” certain groups (the wealthy and poor) is still regarded as one of the necessary and legitimate functions of the South African state.

This conception of solidarity contrasts with that expressed in ANC and government officials’ commentaries on the NHI and HMI. Here, solidarity is transformative, i.e. a process that can and should address the alienating and fragmenting force of commercialised healthcare. Moreover, it is conceived as a process that requires sacrifice, and in this sense, there is no promise that solidarity is non-conflictual or always produces mutual benefits. This conception of solidarity rejects the practice of sacrificial citizenship (Brown 2016), central to neoliberal governance, where governments sacrifice citizens’ physical welfare to bolster more abstract economic measures of collective welfare such as GDP. Instead, when solidarity is understood as “mutual aid between forces fighting for the same objectives” and a process involving “sacrifices”, “struggles” and “difficulties” (Machel 1973), its purpose is not defined by mutual profit but by more emancipatory objectives. For example, to “heal the divisions of the past and to establish a society based on democratic values, social justice and fundamental human rights” (Republic of South Africa 2019, p.2).

One tentative conclusion from this discussion concerns the implementation of UHC. If UHC is implemented by entrenching the commercialisation of healthcare (e.g. by increasing poor citizens' access to health insurance, facilitating the dominance of for-profit private sector providers and dismantling public health systems that are free at the point of care), these reforms are likely to entrench the idea that unregulated markets are legitimate arbiters of fundamental political questions. For example, questions about how to define and protect the well-being of individual citizens and the political community as a whole. They are also likely to continue eroding the capacity of the already ailing public health system to provide good quality care to everyone in South Africa. Under these arrangements, most of the population will continue to be excluded from accessing the care and essential medicines they need.

One way to counter this is by keeping the notion of social citizenship front and centre in policy debates about universal healthcare. Central to the concept of social citizenship is the idea that membership in a political community should ensure that one can live a dignified life – even when one cannot purchase it. For Marshall (1964), this is the social dimension of citizenship, i.e. the idea that citizenship functions as a legal status that confers rights to political participation while at the same time decommodifying the basic goods and services required to embed oneself in the lifeworld of their political community.

Note

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CONFRONTING EPIDEMICS

The art of not knowing and strategic ignorance during Ebola preparedness in Uganda

Grace Akello¹ and Melissa Parker

Introduction

Much has been written about global health's securitisation and how this shapes policies and practice during outbreaks of infectious diseases. Central to this is the idea of developing health systems that are 'prepared' to deal with epidemics. Being prepared enables technologies, staff and systems to be mobilised at a moments' notice to treat, contain and control the spread of epidemics. There is also increasing recognition of the multiple ways in which political, economic and social processes shape how preparedness is enacted, sometimes in unhelpful and counter-productive ways. This chapter explores the relationship between policies designed at a global and national level to facilitate a state of preparedness and practices on the ground during the Ebola epidemic. We reveal how political, social, economic and historical issues influence preparedness and response at every level/stage in the process. In particular, our research reveals how strategic interests, value judgements, morality and fear may constrain discussions about appropriate ways to prepare.

Moreover, we show how policy preparedness and response for Ebola followed the selective deployment of power and resources by local, national and global authorities. We begin by posing the following questions that commonly characterise policy responses during a pandemic like those witnessed during the Ebola outbreak in West Africa in 2013–14 (see, e.g. DuBois, et al. 2015):

- a What happens when policymakers try to push back on strategies they perceive to be unhelpfully restrictive?*
- b Why is it difficult to replace a one-size-fits-all approach with context-specific policies at the local levels?*
- c Do global discourses of preparedness eventually create fear and anxiety at the expense of taking needed actions in anticipation of virulent epidemics?*

These questions will be answered more generally in the course of our empirical discussions below. Our arguments reinforce an issue that has been extensively discussed by others in this volume, touching on the increasing importance of moving away from 'one-size-fits all' approach to public policy in Africa. Indeed, this is not unfamiliar when it comes to disease control in developing countries, as was, for instance, mentioned by Tedros Adhanom Ghebreyesus in his speech to the World Health assembly that "there is no magic bullet. There is no simple solution, there is

no panacea. There is no one size-fits-all approach” (WHO 2020) when tackling policy problems with contextually skewed policy designs. In reality, World Health Organisation (WHO) often designs one intervention for controlling epidemics like Ebola or pandemics like COVID-19 and directs its implementation in all countries. Quick technological fixes are repeatedly looked for, even though they are more likely to fail than work. Why? What mechanisms enable to this happen? Our discussions attempt to offer insights to understanding these issues and policy dimensions in Uganda.

The rest of the chapter is organised as follows: in the next section, we proceed to show the history of epidemics and responses in Uganda briefly. This is followed by presenting the policy structure and approaches to disease outbreak in Uganda at the national and district levels. After that, data sources and the findings’ analysis are presented within theoretical notions of *the art of not knowing*, strategic prioritisation of interventions framed within scientific evidence and appropriate technology (Farmer 2003; McGoey 2007) and strategic ignorance (e.g. Arendt 1967; Donovan 2018; Kelly and McGoey 2018). The art of not knowing and strategic ignorance describes “multifaceted ways that ignorance can be harnessed as a resource, enabling knowledge to be deflected, obscured, concealed or magnified in a way that increases the scope of what remains unintelligible”(McGoey 2012, p. 1). Thus, despite the obviousness of the negative outcome, if the evidence showing otherwise is ignored, policymakers insist on pursuing a different path as long as their interests remain intact (McGoey 2012). In the conventional public policy scholarship, the art of not knowing and strategic ignorance entails what has been viewed by some as the policy volatility, which can be used to illustrate the dark-side of policy behaviour (Howlett 2021). That is, “policy-makers may be driven by malicious or venal motivations rather than socially beneficial or disinterested ones and that policy targets [in this case the Ugandan government] also have proclivities and tendencies towards activities such as gaming, free-ridership and rent-seeking that must be curbed if even well-intentioned policies are to achieve their aims” (Howlett 2021, p.1). As already discussed in many parts of this volume (e.g. see Chapters 29 and 37), a closer look into donor-oriented public policies vis-a-vis the perceptions of local actors or recipient governments in Africa have often demonstrated this complex relationship between policy intentions and the interests of key actors. This chapter’s ethnographic data provides insights into different dimensions of this state of affairs between the development partners and the Ugandan government during Ebola response.

History of epidemics and factors shaping disease response architecture in Uganda

Uganda has vast experience with epidemic disease response and humanitarianism. In early 2000 when the Ebola epidemic struck northern Uganda, and despite a huge representation of humanitarians to mitigate the impact of the prolonged civil war caused by the Lord’s Resistance Army, there was no direct financial contribution made for Ebola containment (Park and Akello 2017). All humanitarians had pre-set mandates to promote the psychosocial well-being of war-affected people in northern Uganda. It was only St. Mary’s hospital Lacor – assisted by the Italian Corporation that responded to this threat – in part through offering free services to all people with Ebola symptoms. Health workers in defective state-aided hospitals like Gulu Regional Referral Hospital fled their centres due to the challenges of managing such a deadly epidemic without basic protective equipment (Akello and Beisel 2019).

While Uganda anticipated humanitarian response to mitigate one crisis within another humanitarian crisis would be matter of fact, it was shocked at the evocation of pre-set mandates. Also, plans were designed so that an institution could only tackle one challenge at a time. Thus,

Uganda's declaration of a health crisis and invitation of humanitarians has been measured and sometimes characterised by silence. Sometimes Uganda has acted in denial of a health crisis (Akello and Beisel 2019) like CCHF, which led to many deaths in Nakaseke in 2017. Subsequently, many Frontline health workers fled the affected region as the MOH responded with silence and feigned ignorance on their request for PPEs. Also, there were dismissal threats had they persisted with their PPE requests for Crimean Congolese Haemorrhagic Fever (CCHF).

Epidemic disease threats and Institutional structures of response in Uganda

Since Uganda does not have the luxury of earmarking funds for anticipated threats, the MOH cannot integrate such plans within the broader development-aid frameworks for tackling mundane, tedious and expensive aspects of health investment. However, with mounting pressure from development partners to establish a framework for epidemic response, Uganda established a National Emergency Operating Centre (NEOC) in 2012 within the disaster preparedness department at the Prime Minister's office. The NEOC or Public Health Emergency Operation Centre (PHEOC) handled health-related disasters.

PHOEC frequently experience power-sharing challenges with the MOH disease surveillance department. It is also infiltrated by security operatives who inform the President, who is often selectively interested in bio-security and views disease epidemics as a health and security threat. Noticeably, *the MOH officers are sometimes called to provide technical assistance, but mostly the staff at NEOC directly link with, organise and deploy activities together with development agencies and humanitarians.* Therefore, development partners and humanitarians have created a favourable niche *within the MOH machinery* to deploy strategic agendas, including responding to one disease at a time, even if it is only anticipated. Within the NEOC framework, disease epidemic preparedness and response is guided by an 'outside' agenda. Development partners selectively decide which disease epidemic to tackle or not to tackle. Ebola, for instance, attracted huge attention and undisclosed budgets, but not Crimean fever, cholera, typhoid or other neglected tropical diseases like nodding syndrome. Within NEOC, security operatives readily work with development partners and humanitarians to spend so much money on short-term responses, like producing millions of colourful posters. The trio also formulates and dispenses budgets with limited accountability. Within this framework, the World Bank responded to epidemic preparedness responses in 2020 by offering Uganda a loan of 5 billion USD. The World Bank's loan to Uganda to tackle epidemics confirms McGoey (2015) and Donovan (2018)'s arguments that an overwhelming evidence hardly leads to policy change, especially in situations where such a change is not aligning to the interests of the key actors both inside and outside the government. Therefore, the Ugandan government or donors ignored alternative and valid courses of action and pursued economic policies that might have failed to meet a stated objective as long as these policies met their underlying interests. Epidemic preparedness is then an epitome of such an incidence whereby harmful policies that may be associated with the World Bank loans can be rationally maintained, despite the stated beneficiary losing out. This scenario is often bolstered by the efforts of actors who often find creative ways to strategically ignore inconvenient evidence (Mallard and McGoey 2018; McGoey 2007; Rayner 2012). Donovan (2018) expresses concern in this regard about the appropriateness of trialled interventions when the processes being addressed reflect broader socio-economic structural inequalities that singular interventions are unlikely to remove. The institutional arrangements and decision making processes for epidemic response in Uganda during Ebola, therefore, demonstrated what can qualify as the art of not knowing and strategic ignorance by policymakers.

Policy structure (preparedness) to disease outbreaks in Uganda

The national level

At first sight, the institutional structures appear to be straightforward and streamlined, with clear accountability lines. The MOH develops the policy guidelines, annual health sector budgets and five-year strategic plans. Like many ministries, the MOH relies heavily on aid from donors and development partners. MOH's priority diseases are malaria, tuberculosis, HIV/AIDS management, and child and maternal health (MOH 2005, WHO/MOH 2017 2010). Indeed, the diseases contribute to the commonest morbidity and mortality. A substantial budget financed by the World Bank and philanthropists' donations is allocated annually to fight these diseases through preventive and curative approaches. Technologies, including colourful posters, health education messages, insecticide-treated mosquito nets, pharmaceuticals are preferred preventive approaches for diseases with social and economic origins (Kelly and Beisel 2011). Vaccines and immunisation of children is another critical preventive approach promoted by humanitarians, development agencies and the MOH. Despite a significant global decline in disease burden due to vaccines, substantial investments in these technologies and the involvement of pharmaceutical companies simultaneously lead to the production of life-saving technologies but also a denial of essential health services for the world's poor if more practical evidence and strategies in particular contexts are ignored (Kelly and McGoey 2018). For example, the 2020–25 MOH strategy states that HIV/AIDS should be prevented through pre-exposure (PrEP for HIV/AIDS) medicines – particularly for high-risk groups such as men in uniforms, sex workers and long-distance drivers (CDC 2019; WHO/MOH 2017). Uganda's health policy engagement, however, neglects anticipated diseases.

Historically, Uganda has had a reactionary response to Ebola, Marburg, CCHF, etc. This is because planning for anticipated disease threats in the minimum health spending setting might require budget allocations, frameworks and standby personnel that the Ugandan government may not afford, and donors may not be willing to finance if it falls outside their priorities and/or are not a matter of urgency. Additionally, for diseases like cholera which frequently occur in urban and rural areas, the WHO/MOH prefers the curative and sensitisation approaches because it is costly to engage with appropriate measures, including broader socioeconomic and political issues such as providing clean water, improved sanitation and housing, etc (Akello 2015; WHO/MOH 2017; Kelly and Beisel 2011). Therefore, when the 11th Ebola epidemic was confirmed in the DRC in June 2018, Uganda again engaged in a reactionary approach in disease containment. Together with development partners, mainly DFID, EU, USAID and humanitarians, Uganda adapted *humanitarian aid/complex emergency crisis framework* instead of a *development aid framework* against Ebola.

A humanitarian crisis implies short-term, immediate, less tedious and quick solutions (Farmer 2003). Typically, *the government with no budget to tackle such a crisis will give up its power to intervene and let humanitarians do what they deem feasible and appropriate*. For Ebola, humanitarians worked within their pre-set objectives to promote awareness about Ebola by producing numerous (IEC) materials, sometimes replicated, translated in different languages and produced every week to replenish those that were fading away. A trial vaccine was administered to a section of valued medical personnel and Ebola responders despite glaring knowledge that over 70% of febrile conditions of Ebola will be managed at home by women.

The district level

Before adopting Structural Adjustment Programmes (SAPs), including decentralisation as a governing structure, the district health office reported to MOH that it had the power to direct activities in the district and village levels. The MOH plans and executes priority health interventions countrywide. Nevertheless, since the mid-1980s, many systemic and managerial changes have significantly affected health service delivery. For instance, with decentralisation districts became almost autonomous from MOH but reported to the Local Government and then to the President's office. In essence, instead of the MOH planning for different pharmaceuticals to the village health centres, the District Health Office (DHO) orders medicines directly from the National Medical Stores. The district medical personnel are recruited and paid by the Local Government. The Local Government line of reporting goes to the President's office. Sometimes the DHO may seek technical advice from MOH or an invitation for support, but this is a more symbolic gesture demonstrating artificial linkages. For example, in 2019, when the MOH requested the parliament the powers to manage health systems up to the village level, there was outright resistance from the President's office and districts, representatives.

Generally, the President's office is a heterogeneous collection of agencies and parties, including the military, retired MOH officials, family members and former ministers. *It is mainly the military component that is of our interest here. For example, all Resident District Commissioners (RDCs) – the districts' political representatives – are soldiers or retired soldiers.* They chair meetings in districts, including those on disease response called the District Task Force (DTF). The DTF must work with the NTF, which is only part of MOH, while the Ebola response is at NEOC. RDCs also report directly to the President about health matters affecting the districts. DHOs are secretaries to the RDCs and may only offer technical guidance when requested. Whereas all DHOs are medical doctors by training, the educational background of the RDCs is not always known, although they hardly have medical training or training in public health.

Most importantly, if the district receives donations for disease response, the RDC decides budget allocations. Where health issues merge with security matters or redefined as *health security*, there is a prioritisation of handling security threats over disease threats. For instance, making people abide by hand and feet washing during Ebola control will be given a higher budget than the act of treating cases or paying FRHWS. This securitisation and/or militarisation of disease response was also reported in West Africa following the 2014/15 Ebola outbreak (e.g. Hofman and Au 2017) and it was also evident in the recent response to the COVID-19 pandemic in Uganda and across Africa. Perhaps, the securitisation/militarisation may be the most practical way of responding to dangerous diseases by weaker states like those of Africa that have a tendency of investing more in security and has mastered the art of securitising public policy delivery for regime consolidation. Also, security operatives and institutions may be the most effective and institutionalised policy venues in weaker states given their relatively sufficient funding and less politicisation in comparison to public institutions like the MOH. The next section presents the data source for this chapter's subject matter.

Fieldwork and context

We carried out 14 months of ethnographic fieldwork during an ongoing Ebola outbreak in the Democratic Republic of Congo (DRC) from November 2018 to August 2020. DRC's province of Beni (an epicentre of one of the outbreaks of Ebola haemorrhagic fever) is only

70 kilometres away from the Uganda border district of Kasese. People in Beni and Kasese share social, economic, cultural and political connections. For example, the Bakonzo people in Uganda are culturally similar to Banande in the DRC. They speak the same language and have families on both sides of the border. The Bakonzo have farmlands in the DRC while the Nande come to Uganda to access medical and education services and purchase goods scarce in the DRC. We interviewed many men in Kisanga village in Karambi sub-county who had wives and children in the DRC and Uganda.

Despite a major focus on an anticipated Ebola epidemic by Uganda's development partners, humanitarians and policymakers, we assessed perceived health priorities. Respondents anticipated common health threats, namely, difficult births, child mortality and hunger, and mechanisms to prevent or deal with these threats through local and biomedical strategies. Key informants interviewed included the sub-county chief and his council members, the in-charges at the health centres where villagers sought well-being. We relayed villagers' viewpoints and health threats to the district health office, sub-county council and MOH. This was to promote community engagement and seek ways through which villagers' perspectives and priorities can be integrated into national, regional and global discourses about pandemic preparedness and response. We attended various preparedness meetings at the MOH and NEOC, where development partners contributed and influenced the agenda.

We made inquiries, interviewed key officers at the MOH and NEOC on various activities for epidemic preparedness. Although NEOC pillars executed tasks independently and as one NEOC officer said: "sometimes one pillar causing trouble for another", in the villages, preparedness interventions were viewed as a joint effort, unified at NEOC and DTF with funding from European Union (EU), UK/DFID, USAID, Baylor, UNICEF, etc. *Despite all the efforts in pandemic preparedness, villagers viewed or experienced these activities as irrelevant, inconveniencing and disconnected from local needs.* We will analyse this issue in the discussion while asking how the national and global discourses are not in harmony with villagers' priorities. Why are lessons from tackling past epidemics not transferred to other epidemic settings? Or, as Tim Allen puts it, *why is it that only bad lessons are transferred from one epidemic setting to another (see, also Chapter 37 in this volume)?* We examine this and demonstrate how humanitarian agencies, decision makers and policymakers in health structures engage in the art of not knowing to make their interventions manageable.

Findings and analysis

Misplaced funding and reactionary responses

Regarding pandemic response, the MOH officer commented concerning *humanitarian aid frameworks* that: "It is not only a reactionary approach, [but] it is also disease-specific" (16 June 2019). That means even if a village had CCHF, cholera, malaria and *only* anticipating Ebola, all funds will be directed to an anticipated Ebola and its containment instead of towards very fatal and common health issues. One laboratory specialist lamentably witnessed how humanitarians invested so much money on an anticipated Ebola, yet people in Kampala experienced cholera, typhoid and malaria epidemics during that time. But this was ignored by development partners and no humanitarian organisation listened or diverted some funds for the diagnostic and treatment of those afflicted in Kampala.

Consequently, the said respondent "sometimes used a motorbike to move around clinics with the highest number of cases, collect the samples, and transport them to the Uganda Virus Research Institute (UVRI) for tests and return results at his own expense". He has since

“lost trust about anything related to humanitarian crisis response”. He was also “surprised that the amount of funds – for instance to produce colourful posters could suffice to build and equip a health centre” (10 May 2019).

In a partially functional Karambi HC111 (Akello 2020), IRC invested extensively in Ebola response whereby clients were screened, temperatures were taken and they were instructed to wash hands in 0.05% chlorine. Although because of lack of toilets, Karambi HC111, where IRC Ebola screening thrived, suspended admissions and normal routine care. In October 2019, the highly paid IRC staff had a tent for an office, and when it rained, they dismantled everything and placed their appropriate technology in the watchman’s house. Also, there were no pit latrines at POEs during disease control. This contradictory behaviour of pioneering disease control amidst poor sanitation unintentionally caused precarious social dynamics in which infectious disease responders became perceived as disease originators (Akello et al. 2019). The credibility of messages disseminated by disease responders whose behaviours contradicted what they taught confused the villagers. And the investment of more funds in containing one disease in a setting with multiple disease threats demonstrates the skill of *the art of not knowing* or strategic ignorance.

Competing policy interests, problem interpretations and power

How NEOC relate to MOH works differently, partly because most reporting is also done to the Prime Ministers’ Office. NEOC can also function as a section within MOH’s disease surveillance and epidemiology department, sometimes as a stand-alone institution to link the government and humanitarians during disease threats. Sometimes PHEOC is fronted as a WHO section or a CDC section turning them into Centres for Disease Control (CDC) in Uganda. The disease commanders, the surveillance officers and pillar managers are soldiers with additional clinical/non-clinical training. The problem definition and responses to the disease, including the epidemic, differed in terms of actors and interests.

The security officers frequently refer to disease epidemics as a security threat, and that soldiers’ participation is significant. Accordingly, a Disease Commander at NEOC was insistent that the President must not declare or announce an experience with an epidemic just easily. It is because such an announcement will cause a global panic for nothing. “He has seen that many people who come to ‘assist’ come with their agenda of enriching themselves. In the process, the government loses on the funds it would gain through tourism” (21 June 2019). While giving his account of refusal to declare Marburg and CCHF, this respondent further mentioned that “for Marburg, the infected tourist went into the snake’s cave, cuddling it, kissing it, which is risky for animals not vaccinated. So, the only response for Marburg was to fence-off-the python from tourists”. According to him, that is how they were saved from humanitarians who only want to “compete with each other, duplicate activities and yet doing nothing much to alleviate the problem – just because the government had declared a crisis” (21 June 2019).

Furthermore, with regard to conflicting interests in disease response, a senior officer at NEOC pointed how MSF jetted in with all these new strategies against Ebola without consulting the MOH or NEOC on existing gaps to either fill or modify. By the time MOH and NEOC realised it, MSF staff were already in the high-risk zone, promoting awareness about Ebola, something other humanitarians had done for months, consequently duplicating, replicating and detaching the defined interventions and outcomes of humanitarian crisis. Although no aid agencies agreed to disclose their budgets to MOH or NEOC, UNICEF accessed DFID and EU funds to produce posters. According to one EU officer, because of

this, UNICEF was ordered to refund EU money that it did without hesitation, demonstrating the enormity of funds UNICEF had acquired for crisis management.

Besides, challenges of institutional overlaps and agencification of the policy implementation structures were eminent. Most officers at the MOH expressed dismay at the creation of NEOC and also expressed dissatisfaction and the unsustainable management of health issues. Disease containment pillars have representatives from humanitarians and development partners to set the agenda. With COVID-19, artificial intelligence was also integrated into disease containment, mainly to promote digital communication, address rumours and contact tracing.

In essence, NEOC undermines the MOH, the strategic plans and response that puts to question the system strengthening concerns. Although some skilful MOH officers are sometimes invited to provide technical support and share existing clinical guidelines about tackling the disease, any critic risks immediate elimination. Regarding this, an officer shared his experience as follows:

I was head [of] the department for TB management for a long time at the MOH. We had used our proven experience to draft guidelines and strategic plans for tackling TB, including MDR-TB. But then came some pharmaceutical companies with drugs- which we knew were not effective already. They called them donations. I rejected their offer right away. The next day, the President himself called me to tell me to step aside. He said: I was frustrating donor efforts to combat diseases in Uganda. The Director-General (DG) confirmed it. I was almost jobless in a few hours. So, the DG offered me a junior post. Since then, I have learnt how to work with development partners and humanitarians. The only question I ask is, what do you want me to do? I do exactly that. When some of them produced so many posters for Ebola and did not know what to do with them, they told me to write a report about the success in tackling Ebola through distributing posters that remained in hotel stores. I wrote a beautiful report and was paid my money. Real health issues remain unaddressed. However, donors offer some money to the President and his structures, and everything runs as if it is normal. It used to be for God and my Country, but now the motto is for God and my stomach. Everything else, including the experience you have gathered for many years, is immaterial.

(18 June 2019)

Another MOH office in primary healthcare repeatedly stated how it is shocking that the preferred approach to tackle diseases is through IEC materials and chiefly enlists distribution of colourful posters. He recommended going back to the basics and asking questions about the social, political and economic origins of disease and tackle those. Indeed, this department was hardly supported by uninterested donors and was left out during the Ebola response. Therefore, *in practice, the health system architecture is rarely straightforward – complex power dynamics involving different kinds of authority influence policy image, policymaking and implementation.*

Policy responses between MOH in Kampala and the district health office

The implications of the localised policy decisions at the district levels on pandemics response in Uganda are huge. If the RDC has to select between purely political activity and pandemic preparedness, political matters take precedence. In several meetings on the Ebola preparedness in Kasese district in May 2019, WHO and other health partners discussed how they were pulling out after ten months of preparedness. WHO reported how it supported constructing a thermoscanner (house insulated with a temperature recording device and

surveillance system) at the Mpondwe border post. The house also reads other parameters like the suspect's key identity features, giving the impression that it collects more than the person's health information. However, it is more of a multi-faceted device for bio-health security.

According to the WHO, the device was to screen all people entering Uganda through the Mpondwe entry point, but this was only attainable with the districts' full involvement. The sick Congolese or travellers with high temperatures must be detained before their repatriation. In another meeting in April 2019, the surveillance officer chaired a poorly attended meeting because all Frontline workers declined to participate due to a lack of payments for Ebola control tasks. Participants agreed that the surveillance officer would contact the Uganda Red Cross Society (URCS) for assistance to pay FRHW and cover five month's dues. URCS had previously disclosed a grant for paying FRHWs who participated in Ebola containment but to no avail.

In a weekly DTF meeting in March 2019, Village Health Teams turned down the invitation because of poor facilitation and lack of payments for tasks conducted, including distributing Ebola posters in over ten months. The surveillance officer, the DHO and their secretaries declined to comment on this matter, saying they were sensitive matters. In this meeting, one senior officer from the MOH evoked the notion of *reactionary response*, which the MOH is not part of, and detailed the importance of focusing on strengthening the entire health system, equipping it, recruiting adequate staff and ensuring the capacity of the health system to handle diseases and epidemics.

Accordingly, *One Health and Port Health* was introduced as alternative guiding concepts which all districts must adapt for sustainability purposes. Although the MOH lacked funds to propel it, One Health directs a comprehensive focus on disease screening and response in humans, plants, domestic animals and wildlife. It comprehensively brings together the medical, veterinary, forester, wildlife officers to conduct screening and respond to diseases based on previous experiences. Port Health will be mandatory at borderland districts like Kasese instead of a thermoscanner with One Health personnel and more comprehensive disease preparedness and response approaches. Nonetheless, this point illustrates the disconnect between national and district policies and practices.

Creating a tunnel vision: the art of not knowing

Pharmaceutical companies are vital in Uganda's health system. In this pluralistic medical system, self-medication constitutes the highest proportion of how people manage common complaints or seek well-being, including everyday stressors (Adome et al. 1996, Akello 2010). Pharmaceutical companies can wield so much power at the national level. One senior officer at the MOH alluded to this when sharing his experience with TB treatment and how strategic plans were discarded when a pharmaceutical company approached the President directly offering free previously unknown effective medicines for tuberculosis. Also, FRHWS in the village and district health centres are overwhelmed by unnecessary batches of pharmaceutical donations and medical equipment that even the hospitals store away until their expiration and appropriate disposal by MOH (Akello and Beisel 2019).

Most notable here is the Praziquantel (Akello et al. 2016), which prompted the Carter foundation, the main donor of Praziquantel, to militarise its response to eliminate schistosomiasis since 2016. In May 2019, in the Kasese district, the RDC deployed many soldiers to oversee Praziquantel distribution and administration. Although not directly concerned with the pandemic response, this health intervention occurred in a setting where many

activities were being done to contain Ebola. First, local resistance to interventions conceived to originate from outside could reflect a disconnect between local needs and donor priorities. Second, the prevailing ineffectiveness of curative approaches for many diseases with socio-economic and political origins (Parker and Allen 2014) will only necessitate that the implementer like Carter foundation employs strategic ignorance to propel such agendas. Third, even at the micro-level, political structures are more likely to reinforce such health interventions, yet another epitome of selective knowing and deploying power through feigned ignorance and the *art of not knowing*.

During the Ebola response, one of the pervading activities was distributing posters instructing people to wash hands with ash. Though bearing a MOH logo, all senior officers interviewed, including the NEOC's IEC materials manager, expressed shock and feigned ignorance about how such information could be disseminated to people at risk. Some clinicians and nurses only stated how *mad* the MOH had become. The fact that MOH approved such posters was unsurprising, argued many HC in charge because they regularly handled many unwanted medicines and medical equipment delivered by the MOH. Moreover, this is despite submitting completely different lists of medicines needed. Many nurses inquired: if the MOH staff were planning to train clinicians on using ash in a clinic setting? Is ash clinically proven against Ebola, and where will hospitals get ash from?

Also, the NEOC officer in charge of IEC material production and dissemination only mentioned that perhaps donors were tired of supplying jik (chlorine mixture) after over eight months of Ebola response, thereby disseminating information that promotes local and technologically appropriate interventions like ash. All senior MOH officers declined to comment on such sensitive matters and were fearful of losing their job, reflecting detachment in health interventions. Many senior officers at the MOH mentioned that their technical advice is not directly useful, and most of them only rubber-stamp all precarious pandemics interventions. In practice, the politics of patronage leverage onto junior officers more symbolic powers than senior MOH officers in decision-making. The former may send a senior officer to donor meetings with a list of demands *that the latter cannot* contradict, besides donors' suggestions.

Retrospectively, many are thriving in the Ministry's upper echelons for mastering this informal rule to secure their positions. One senior officer who had been previously demoted for resisting bogus health interventions described in Dholuo the MOH situation as *marac [very bad]*. In all MOH-donor meetings, a few more *unknown military and state operatives* must attend to update the President on how much money has been donated, who will be in charge and which districts are being targeted. This reflects the powerlessness of MOH officials within the current authoritarian policy regime. The political dynamics shaping health policy and its enactment are also profoundly unmatched from the villages' realities.

Temporality in response approaches

If pandemic preparedness assumes planning and anticipating continuity into the future, the Ugandan case demonstrates the lack of continuity. Repercussions of *emergency aid* frameworks are now becoming evident in high-risk districts for Ebola. For example, the Kasese district is presently struggling to pass policies to redefine how to tackle epidemics through long-term plans and preparing systems to handle all types of diseases. Key sources of resistance to such policies are donors, humanitarians and politicians. Several senior officers at MOH concurred: there is a poor investment in functional health systems through training and retaining medical staff. Instead, [...] *the biggest proportion of the budget is paying foreign staff and producing irrelevant interventions like posters* (2 July 2019).

Moreover, poster production and information dissemination are temporary and short term; an approach which we call *fleeting* – i.e., temporary, disconnected creating the impression that focus of activities changes with the wind – enables inappropriate activities to take place. Given the temporal nature of interventions, it was difficult to oversee consistency and verify the quality of interventions. For example, chlorine concentrations in the Kasese district differed considerably over the ten months of the Ebola response. WHO, in its response, tasked the DHO to adapt and re-adjust quickly to how they calculate the different concentrations of chlorine for handwashing. By the ninth month of the Ebola response, the Kasese district health office had decided not to distribute some of the sub-standard batches of chlorine lest it confuse the communities and response teams.

Again, *numerous organisations come in and go at will, whether their projects are complete or not*. Several humanitarians assisted in the Kasese Ebola response, although by the fifth month, many had pulled out. By the 14th month, only IRC supported Ebola screening activities in defective health centres, semi-permanent isolation units. However, the isolation unit was arguably not a priority need, and if the need arose, a referral would be made to the Ebola treatment unit in Bwera hospital. Furthermore, besides the lack of coordination, there was duplication, replication and skewed focus on IEC materials production. *Little was left in Kasese as a legacy for Ebola preparedness and response*. All activities were couched in the short-term, disease specificity and detachment from local health needs. A senior officer at the MOH said:

I was able to see the budgets of some humanitarians, and it was shocking how much money went into these short-term interventions. We could have built a state-of-art hospital in each district if we were managing the funds at the MOH. The minister even knows how it came about that Uganda's FRHWs were not paid their risk allowance. Bwera ETU had no budget to give food to the confirmed Ebola case temporarily admitted there.

(22 June 2019)

From February 2020, Uganda again had to deal with COVID-19. It was a new landscape since development partners and humanitarians were not involved. Most of them had been recalled by their countries of origin. The government had to innovate against this impending threat quickly. Perhaps due to humanitarianism's legacy and its benefits to the presidency, the President opted for a humanitarian *response*. First, 'irrelevant' officers at the NEOC were disbanded. After that, the President's office recruited a team comprising the prime minister, minister of defence, minister of health, minister of IT and communication to update confirmed cases of COVID-19 and receive donations from the private sector. Substantial funds were received without clear plans of allocation. A minister mentioned the possibility of creating a planning committee limited to the COVID-19 response. Even though it would have been better to channel such funds to systems strengthening, it was already explicit that a focus on one disease was adapted, further illustrating the problem of temporality perpetuated by both pandemics and the legacy of unsustainable individualistic response measures.

If temporality in pandemics response lacks ownership by key actors and beneficiaries, then various examples show it. In Kasese, pandemic preparedness activities were only actively undertaken by FRHWs, when the DHO was expected in the health centre. In one incident, IEC materials at Karambi HC3 stayed at the HC and were not distributed to households. Moreover, at the porous borderlands between Uganda and the DRC, Ebola screeners had to call for military enforcement because people did not adhere to their guidelines. A substantial proportion of Kisanga village men preferred to use informal paths to avoid routine and monotonous Ebola control activities.

Similarly, having defined the women who cross river Lhubiriha to go gardening in the DRC as ‘travellers’, the Ebola responders ensured that the women adhered with the screening activities as travellers entering Uganda. The fact that responders knowingly insist on treating the village women who might have simply gone to fetch river water for domestic use as ‘travellers’ is another epitome of temporality, strategic ignorance and detachment. While being aware that the village women might not pose such a great threat as distant travellers, their detachment with their current disease control activities reinforces the practice. They need to detach themselves from their tasks to ensure that their registers meet the target number of traveller targets per day pre-set by IOM as an output.

Sustaining tunnel vision – the role of SOPS

Examples in clinic settings like Kagando and Bwera hospitals *show that some pandemic response activities were largely sustained despite feigned adherence to standard operating procedures*. Bwera district hospital, which hosts an ETU, has only one main entrance with a handwashing facility. Due to inadequate staff, the hospital had the gatemen who oversee that all hospital visitors washed their hands before entry and record their temperatures. The gatemen declined this additional task after a few days because of the increased workload, and many clients refused to comply. It is worth noting that Kagando hospital is a private, not-for-profit hospital with a thriving clinical school where students can conduct free tasks.

When Ebola screening of clients became mandatory for all hospitals, Kagando placed the handwashing facility at the entry. But the driveway entrance had no handwashing facility, though at heightening response, the drum of water and bucket would be occasionally placed there. To enforce the washing of hand directives, Kagando employed students to monitor this activity. At heightened response, the Belgium embassy came in and donated free hand sanitisers for FRHWs in Wards, who constantly placed a full bottle of sanitisers at a central table in the ward.

Whereas the ETU at Bwera was to be opened and staffed on a 24-hour basis, the staff decided to perform a mere *performance*. In a *performance response*, all staff mandated to be at the ETU left a list of telephone numbers with the gateman and the gateman would assure the monitoring team that staff had just left for a lunch break and would return soon. If anyone were concerned enough to call, s/he would receive a polite response and assurance that the concerned staff would return as soon as they completed their lunch break. The idea that there was no direct entry into the ETU and the need first to seek permission from the Bwera hospital managers created sufficient time for the gateman even to clean the previously neglected ETU. That is how for over 14 months period of Ebola preparedness and response, there were activities aimed at disease control, but only superficially because there was no real threat, no real response, and officers exercised strategic ignorance in executing their activities. Similarly, as a fleet of vehicles transported the minister to see the confirmed cases, there was no risk allowance for the FRHWs.

Information, education and communication of risk (IEC) materials – how is it possible to repeatedly make the same mistakes?

Like it was reported in West Africa (e.g. DuBois et al. 2015; Hofman and Au 2017), IEC material in Uganda was a key approach in pandemic preparedness and response. The commonest poster depicted a series of pictures on the same page. One picture of a white man

vomiting while standing straight, another picture of a white woman bleeding through the eyes, nose and mouth. Then another demonstrates how to wash hands. The last depicts a man having diarrhoea. The posters are produced on a mass scale and demand enormous funds to line ministries in Uganda, UNICEF and MSF.

One NEOC pillar manager disclosed that all Ebola posters are airlifted from Geneva to Uganda in vast numbers. There is no way his department would ever manage to finish the distribution of those leaflets and posters. They tried their best to give every household as many as ten posters and weekly replenish those spoilt by rain, but it seems even the absorption capacity was lacking. Some posters are still lying at district health offices and undisclosed hotels and schools. Even medium-risk and low-risk districts for Ebola received considerable numbers of these posters from Geneva. The IEC materials manager stated that because of too much sensitisation, villagers frequently called officers when worried, in case of any bleeding episode even during motor accident, though disappointedly, officers no longer answer villagers' calls. Also, there is little concern about whether the materials were correctly translated or whether it was illiteracy, which was being addressed by translating the documents from English to other languages. Whether the posters impacted behaviour has also not been on the reporting metrics.

A senior MOH officer commented as follows on posters:

Towards the eighth month of Ebola response, I was contacted by one of the reputable health partners here in Uganda to write a report about activities. I was offered a substantial sum and was told to live in a plush hotel in Kampala, [to] write a good report about Kasese activities. In that very hotel, I was told by one of the junior staff that, there are millions of Ebola posters that have never been delivered to where they were intended. I also just lived there for a week. When the supervisor came, I sat with the checklist-together-with him after lunch and just asked him, how many shall I put here, here I will sign, then you will fill later, and that is what I did. Everybody was happy. We suspect that if there is another Ebola crisis anywhere globally, these very posters, stored away in hotels and whose local beneficiaries cannot produce or absorb them, will be circulated there. The experience in Sierra Leone serves to reinforce our belief. Apart from a few edits, all content seems to resonate with posters distributed in Sierra Leone. We could also mention in passing that the same posters and illustrations for schistosomiasis control seem to originate from the same source, despite challenges for interpreting them by the people at risk of bilharzia.

(18 June 2019)

Conclusions: *myths of preparedness?*

It would be a myth to argue that African countries can develop the capacity for epidemic preparedness mechanisms given the constraints like poor political leadership, the heavy presence and authoritarian power of humanitarian organisations, pharmaceuticals and development partners on policy designs and implementation. From the secrecy of actual budgets to how substantial investments are reached during epidemic preparedness, less attention has been paid towards building more robust health systems, creating a motivated staff and pursuing sustainable approaches. This chapter shows extensive deficits in policy communication strategies and investment in controlling a single disease where multiple disease outbreaks may be experienced. This has come with the overall output of many undistributed posters, many radio talk shows, many short-term activities replicated and duplicated on one disease at a time regardless of whether it is only anticipated or actual.

Thus, our findings affirm Farmer's (2003) pathologies of power about the need to focus in tandem on staff, staff and health systems. Within this complexity, some questions remain unaddressed: for instance, do NGOs accentuate these disconnections? How possible is it to restore connections between national and sub-national health systems to facilitate continuity and sustainable approaches? In general, this chapter has demonstrated deficits in the global policy approaches at the national, meso or regional and micro or grassroots levels, especially, when these approaches and actors who advocate for them ostensibly ignore contradictory evidence to that undergirding their framing of the policy problem. Thus, *global discourses of preparedness may promote and eventually create fear and anxiety at the expense of taking needed actions in anticipation of virulent epidemics*. This chapter's discussions provide insights that advocate for contextually relevant strategies towards disease control in African countries like Uganda, and most importantly, shows that global deficits are not necessarily stemming from the lack of evidence-informed policy strategies but from the art of not knowing and strategic ignorance.

Note

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PART IX

Understanding food security and social protection policies in Africa



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FOOD AND NUTRITION SECURITY POLICIES IN AFRICA

Anne Siebert and Julian May

Introduction

For almost half a century, between 700 million and 1.2 billion of the world's population experienced hunger and malnutrition each year (FAO et al. 2020). Worryingly, since 2014, the number of hungry people has been rising, with the latest estimate for 2019 showing that an additional 60 million people have become affected by hunger since 2014. This is incongruent with the fact that sufficient food is produced to feed the global population and that agricultural productivity continues to grow, albeit at less than the targeted rate of 1.73% per annum required if Sustainable Development Goal (SDG) 2.3 is to be met (doubling agricultural productivity of small-scale farmers by 2030) (Steensland 2020).

Vulnerability to hunger and malnutrition is greatest in Africa, where over half of the population are food insecure, and the numbers are increasing. According to FAO et al. (2020), out of the 2 billion people affected by food insecurity globally, 675 million are living in Africa. Related estimations show that the continent's share is likely to increase rapidly, comprising 51.5% of the total (433 million) in 2030 (FAO et al. 2020). Although public policy to bring about food and nutrition security in Africa has a long history that predates the colonial era (Ó Gráda 2009), such policies have been given renewed impetus by international and continental commitments. These include 'no hunger' explicit as SDG 2, the elimination of hunger and malnutrition in Goal One of Agenda 2063 (African Union 2015), and universal child nourishment listed in Aspiration Five of Africa's Agenda for Children (African Committee of Experts on the Rights and Welfare of the Child – ACERWC 2016).

Public policy for food and nutrition security has become a critical component of government strategies and development interventions, including food aid. It is also the subject of debate and contestation. Recent global dynamics, particularly in the unfolding responses to COVID-19, have shown that well-defined and timely food security policies are of utmost importance in the context of interlinked issues of hunger, volatile food prices, unstable food availability, and increasing prevalence of natural disasters (Béne 2020). Closely related is that COVID-19 redefined the 'the poor' by revealing the vulnerability of middle-class households. Many previously food secure households were confronted with difficulties in affording groceries, and women, in particular, have borne the brunt of the impact of the pandemic with reduced livelihood opportunities and more unpaid work (May 2018; Lawson-Lartego

and Cohen 2020). These recent experiences show that food insecurity issues are diverse, often remain hidden, and thus are not necessarily well integrated into public policy agendas. Thus, one of the tasks of this contribution is to provide a better understanding and sensitivity to these problems and related dire conditions.

The food security concept and framing of food security policies

The topic and concept of food security entered international debates and development agendas with the World Food Conference in 1974. The UN conference defined food security as ‘availability at all times of adequate world food supplies of basic foodstuffs to sustain a steady expansion of food consumption and offset fluctuations in production and prices’ (UN 1974). Over the years, the concept was developed further, beyond the basic idea of food supply, emphasising the individual level. Today, the definition brought forward by the Food and Agriculture Organisation (FAO) of the UN at the World Summit in 1996 is widely accepted: ‘Food security [is] a situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life’ (FAO 1996).

Four dimensions of food security are usually considered: availability, access, utilisation, and stability (Committee on World Food Security 2012). Food availability is determined by the level of food production, stock levels, and net trade. Economic and physical access to food is concerned with incomes, expenditure, markets, and prices. Access to food that is nutritious is often the most problematic dimension of food insecurity in Africa and requires interventions in the broader context of poverty alleviation, for instance, employment generation, support for subsistence farmers (e.g. land access and training), and, in some cases, cash transfers or social grants (Béné 2020). Social safety nets, including school feeding schemes, play another important role in this regard.

Utilisation deals with food preferences, the quality of diets, and the intra-household distribution of food. Food safety is a key component of utilisation as an attribute of quality, highlighted by outbreaks such as the listeriosis in South Africa experienced in 2018 (Battersby and Haysom 2018). A key aspect is the ability to utilise the nutritious quality, which refers to a basic food literacy, including tacit knowledge on preparation, nutrients, and food safety (May 2018).

Finally, the stability of these dimensions over time, and vulnerability to their fluctuations, is also important. This includes risks arising from climate change, political instability, economic conditions, and pandemics. The inclusion of nutrition security reflects the importance of caring practices, health and hygiene, including how food is utilised by the body and the biological capacity to absorb nutrients (FAO, IFAD and WFP 2015). This is now given prominence with the United Nations Decade of Action on Nutrition, 2016–25. Incorporating these food security dimensions and promoting nutrition security is highly complex and interactive tasks that rely on the cooperation of different actors. The key role of local governments in food system planning and governance often remains neglected, especially in Africa (Drimie and Pereira 2016). In general, food security policies are typically part of public policy and are enacted by a government.

The right to food is also emphasised by food and nutrition security. At the World Food Summit in 1996, many governments reaffirmed their commitment to combat food insecurity and malnutrition, implying that states must take steps to achieve the full realisation of the right progressively. The right to food is mostly enshrined in national constitutions and part of different international treaties in which this right is protected. Although the

government is the first actor in charge, different responsibilities on a local and a national level complicate the problem. Moreover, civil society-based organisations, the private sector, and international development cooperation play important roles in facilitating food security policies. Simultaneously, these local and national actions are strongly shaped by food security debates, interventions, and goals on an international level.

Despite these ambitious definitions and related undertakings, food insecurity is still prevalent in many areas worldwide. Ó Gráda (2009) highlights that the African continent is highly at risk to be affected by famines today. Wars, conflicts, and impacts of natural disasters like droughts and floods are amongst the obvious reasons. However, broader negative impacts of globalisation and industrialisation of the agricultural sector, related commercialisation of food production, distribution, and consumption, including trade liberalisation in food, require further recognition. Directly related to these developments, marginalised population groups face harsh conditions, from soaring food prices to land dispossessions (McMichael 2016).

Scholars emphasise that the definition of food insecurity requires engagement with specific contexts; it refers to an ambiguous and multidimensional crisis shaped by highly diverse conditions and developments (Engler and Siebert 2016). It is essential to consider the timing (e.g. past, recent developments), geographical dimensions, and socio-economic characteristics (e.g. shrinking resource base, population growth). Over several decades, the definition of food and nutrition security acquired new characteristics. Specific issues received more attention, including hidden hunger and diet-related non-communicable disease (NCD) (May 2018, 2020). Globally, a nutrition transition, implying a higher consumption of unhealthy and less nourishing food, has been observed. Consequently, food security interventions are required to go beyond averting hunger. The emphasis on 'nutritious' food, referring to the quality aspect, has become essential in response to the ever more visible double burden of malnutrition (undernutrition, including micronutrient deficiencies; and overnutrition).

In particular, SDG 2 (UN 2020) to 'end hunger, achieve food security and improved nutrition and promote sustainable agriculture' (until 2030) calls for adequate food security policies. So far, most of the world is making progress towards such policies, but successive State of Food Security Reports and the Global Nutrition Reports conclude that it is unlikely that these goals will be met by 2030 (cf. FAO et al. 2020). "The State of Food Security and Nutrition in the World 2020" (FAO et al. 2020, xvi) highlights that in 2019, about 8.9% of the world population were suffering from hunger; this is 10 million more people than in the previous year and about 60 million more in five years. It is estimated that 2 billion people globally did not have regular access to safe, nutritious, and sufficient food in 2019 (FAO et al. 2020).

These challenges underline the need for adequate policies to improve food and nutrition security both on a national and international level. Part of the difficulties for public policy concerning the food system is their nature of a cross-cutting theme calling for attention and measures in and beyond diverse domains. These include food production, distribution, retail, trade, infrastructure (e.g. education, health, water), urban and rural planning. Therefore, food security policies are required to unfold across different sectors, some of which may be beyond the influence of the public sector. Besides, the food security dimensions (availability, access, utilisation, and stability) imply further complexity. At the same time, these are the starting points and key pillars of conceptual frameworks for food security policies. In many countries, special food security policy documents and strategies exist (see details on the case of South Africa below).

These policies usually target several pillars simultaneously. For instance, improving transport and storage infrastructure is likely to have an impact on all four dimensions. Hence, it is mostly one task at hand to combine multiple approaches. Moreover, a food policy document

requires reviews of existing policies relevant in this context, e.g. health policies. The design of public policies certainly builds from precise problem identification and analysis on the ground.

Nevertheless, the understanding of these problems, closely related design of policies, implementation, and follow-up (i.e. monitoring and evaluation) remains challenging in many countries worldwide (UN 2020). This is further complicated by a lack of data and precise insights on food insecurity and local conditions. Beyond identifying shortages and potential gaps, linkages between micro-, meso-, and macro-level interventions and between sector policies and policy spheres are key. To be successful, these should be adapted in close alignment with developments and problems on the ground.

Food, nutrition, and agricultural policies in Africa

Policies and strategies engaging with food security are to be found in development plans, sector programmes, and frameworks. Thus, we need to investigate food, nutrition, and agricultural policies in Africa. The continent's continued struggle with food insecurity became visible during the global food crisis in 2007–08. The rise in food prices, particularly for basic cereals (wheat, soya, rice, and corn), hit poor population groups hard (McMichael 2009). Many had no other choice than to switch to cheaper and less nourishing food. In this context, food riots and demonstrations took place in different places in Africa. Certainly, situations of crisis, including drought and flooding arising from climate change, pests such as the 2020 desert locust outbreaks in Eastern Africa, and fall armyworm in Southern Africa, shine a light on the consequences of the increasingly globalised industrialised agri-food system. The COVID-19 pandemic of 2020/21 is perhaps the most dramatic disruptor of the food system experienced to date.

Several scholars highlighted that food security agendas in Africa maintain a strong focus on rural areas, particularly the production side and broader rural development (Battersby and Haysom 2018; Crush and Riley 2018). This bias is also visible in the MDGs and SDGs. Mounting urbanisation rates and growing urban poverty closely linked to hunger and an important role of the informal sector in food provision are barely mirrored in these agendas.

Maintaining food security at the national and household level is a major priority in many countries in Africa, both for the welfare of the poor and for political stability. However, food insecurity rates remain concerning (Faber and Drimie 2016). African countries struggling with conflicts (e.g. South Sudan, Northern Nigeria), natural disasters, and climate change impacts (e.g. recent droughts in Southern Africa, desert locust invasion in East Africa) are more vulnerable to food shortages. While poor regions are more likely to be affected by hunger, many middle-income countries are confronted with continued high food insecurity numbers. For instance, a very high prevalence of food insecurity (in the total population) was estimated in Kenya (56.5%), in South Africa (42.9%), and in Nigeria (36.5%) in 2014–16 (FAO et al. 2020). Against this background, calls for intensified and diversified food security interventions have become more urgent. Moreover, the numbers provoke a sceptical view on past and ongoing food security policies and dynamics in the prevailing agri-food systems (Lawson-Lartego and Cohen 2020).

The political intentions to fight food insecurity and malnutrition are shown in diverse ways, particularly in many National Development Plans. The SDGs and related development interventions underline this. On the continent level, the Comprehensive African Agriculture Development Programme (CAADP) has been the policy framework for agricultural transformation, wealth creation, food security and nutrition, economic growth and prosperity since

2003 (Brüntrup 2011). Forty-seven countries signed the CAADP Compact. As an African Union initiative, CAADP supports member states in increasing investment and productivity in the agricultural sector. The aim is to achieve higher agricultural growth rates to promote food security and economic development (Brüntrup 2011; Diao et al. 2012). International policy agendas strongly inspire many central features. The CAADP is grounded on two key declarations: the Maputo Declaration on Agriculture and Food Security in Africa, launched in 2003, and the Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods, launched in 2014 (2015–25). One key outcome is that public agricultural expenditures increased on average by more than 7% per year, which underlines the importance of agricultural development (Makombe, et al. 2019; Resnick et al. 2020). The joint Pan African agreement and related progress helped to attract international funding and support in implementation. Despite these broad positive developments, several scholars and development practitioners highlight the need for improvement, including better monitoring and credible data (cf. Hendriks et al. 2019; Resnick et al. 2020). According to Brüntrup (2011, 102–3):

CAADP has gained tremendous influence [...] and can exert considerable pressure for change on national administrations, politicians and donors. However, the conclusion cautions not to overestimate the actual influence [...]. The major challenge is not planning, but implementation.

In this way, CAADP provides a framework and goals for national actions. However, outcomes and impacts on the national and regional level sharply vary in terms of fighting food insecurity (Benin 2016, 2020; Makombe et al. 2019). For instance, the prevalence of undernourishment (in the total population) was estimated at almost 30% in Eastern Africa, whereas it was at 5% in Northern Africa (Makombe, et al. 2019). Some reasons are that cooperation across different countries and stakeholders remains challenging (Benin 2016, 2020).

Beyond CAADP, most African governments have adopted various strategies, including efforts to increase production (often with an explicit goal of food self-sufficiency), intervention in markets, public distribution of food, and maintenance of food security stocks. The case of South Africa is illustrative of a complex food security agenda with diverse public policies, which have been adapted over time. Also, it becomes clear that policy frameworks and promising strategy papers require more efforts in local implementation. This specific case is outlined briefly in the following section.

The case of South Africa: overview of key food security policies and programmes

In South Africa, agriculture plays an important role in income and food provision. Food and nutrition security are key elements of the National Development Plan; both are essential to fight poverty and inequality. Nevertheless, food insecurity rates remain high. At the same time, the country is battling with increasing overweight rates (Thow et al. 2018).

Over the last 20 years, several key policy strategies and programmes were introduced to target food and nutrition security at the national level, which align with the right to food (enshrined in the constitution) and several general targets within the National Development Plan (May 2020). The Integrated Food Security Strategy was launched in 2002. Subsequently, in 2009, the Zero Hunger Programme was introduced and in 2011, its successor, the Fetsa Tlala (End Hunger) programme. These three programmes focused on skills, food transfers, school feeding schemes, cash transfers, and training in nutrition awareness.

However, critics highlight that these interventions failed to target the systemic roots of the food security problem, and implementation was complicated by mismanagement of funds (Drimie 2016).

In 2013, the comprehensive National Policy on Food Security and Nutrition (NPFSN) was introduced to harmonise diverse related programmes and initiatives. It moreover seeks to overcome shortcomings of previous programmes; the broad focus remains on ensuring the availability, accessibility, and affordability of safe and nutritious food (Department of Agriculture, Forestry and Fisheries – DAFF 2014). Today, it is still the key policy to achieve the National Development Plan's food security goals in the broader interplay of poverty eradication, unemployment reduction, and elimination of inequality until 2030. This broad framework paper requires appropriate strategies outlining specific programmes and activities; one example is the Household Food and Nutrition Strategy (DAFF 2014).

Therefore, the challenge is in national and provincial departments' responsibility to translate it into their own strategic plans. Tailoring processes by policymakers at a local government level are complicated. Particularly interventions regarding market participation for smallholders and the diversification of diets (including higher micro-nutrient intakes) remain of concern. Several strategies on the provincial level aim to integrate smallholders more efficiently into the market by establishing inclusive local food value chains and making agriculture more attractive for young people most affected by unemployment. Attempts to create self-sufficiency, skill development and training in entrepreneurship are key elements of existing policies. However, it has been challenging to reap broader successes if livelihoods depending on agriculture are becoming less attractive, which is also related to difficulties in land access and broader problems in rural infrastructure.

Also, high rates of under- and overnutrition require diverse governmental responses. Today, nutrition-related interventions comprise school feeding schemes, dietary guidelines, breastfeeding support, humanitarian food assistance, and micronutrient supplements. It is key to simultaneously target the double burden and ensure alignment of national departments' and local interventions (cf. Hofman et al. 2021). Moreover, to implement ambitious goals of the NPFSN, the government needs to collaborate with stakeholders from different sectors, mainly agriculture, education, health, and social development. Thus, cooperation with the private sector, non-governmental organisations, and international development co-operation is key.

The example from South Africa gives a good idea of the complex landscape of food security policies which frame interventions on different levels (national and household) and require tremendous efforts in coordination. Mismanagement challenges impact assessment, and further refinement of such public policies and related interventions are evident beyond South Africa.

In several countries in Africa, food aid and humanitarian food assistance remain key elements of food security strategies and were an important response during the COVID-19 pandemic in 2020. Food aid mostly comprises emergency relief over a short period, which targets medium-term food shortages. However, the efficiency of food aid particularly has been questioned in diverse ways. Concerns often refer to the challenge in ensuring long-term food security and independence of short- and medium-term aid interventions. Experience moreover shows that these interventions negatively influence domestic food prices and incomes in food production and retail. While food aid remains the only solution in fighting acute food insecurity, it is of utmost importance to keep possible negative impacts in mind and restrict intervention periods. In addition, food assistance requires careful planning and continuous assessment as well as related adaption. Issues include the nutritional content of

the distributed food – ensuring that distribution mechanisms are equitable, transparent, and understood; avoiding elite capture, cronyism, and the politicisation of the process; and addressing unintended and negative consequences, including the impact on local producers and markets.

Experiences of countries in sub-Saharan Africa regarding food aid and addressing food security objectives in both the short and long term vary strongly, depending on the country context. Besides, policies and related interventions differ, depending on the drivers and actors in charge. International development organisations like the UN and the World Bank are certainly able to introduce projects of a larger scale using higher financial and human resources. In contrast, weak states may simply not be able to implement food security interventions and thus strongly rely on external support and self-help strategies of the population. The role of different organisations in food aid and other public sector interventions in enhancing food security are discussed controversially by different actors, reaching from social movement representatives and policymakers to external researchers and representatives of international development organisations like the World Bank (Pritchard et al. 2016). Part of these critical debates concerns possible international aid dependency and related strong influence by external actors (Gronemeyer 2010).

Beyond that, national and local governments are confronted with further challenges in ensuring food and nutrition security through appropriate public policies. Broader budget planning and tracking of expenditures are certainly some of the biggest challenges (May 2020). Moreover, regulation of food producers and retailers (including extensive marketing of unhealthy products) is an important but often neglected public sector task. This requires capabilities to enforce regulations regarding advertising, labelling, and preparation. Usually, municipalities are in power to ensure equitable spatial distribution of healthy food retailers – referring to so-called healthy food environments (Hofman et al. 2021).

Fighting food insecurity and malnutrition implies the interlinkage of different levels (macro, meso, micro), reaching from trade policies to the consultation on a household level. Still, poor management and coordination challenge proper planning and implementation (Hofman et al. 2021), especially in poor regions. Civil society-based organisations play another key role in contributing to food security but often have limited resources. Close connection to the realities on the ground makes them important players in targeting local needs and ensuring proper implementation, e.g. soup kitchens and gardening projects (Siebert and May 2016).

Dynamics of a globalised and industrialised agri-food system in Africa

In addition to international and national strategies to battle food insecurity, international trade agreements and powerful actors such as multinational supermarket chains, agricultural and seed companies, and private investors play a key role in the prevailing nutrition and agriculture landscape in Africa (Hall 2015). Although the human right to food qualifies a food as a public good and holds the state into account in terms of food security, neoliberal interests have strongly shaped the sphere of food and agriculture. In the long run, these developments influence what people have on their plates.

Many African countries have been deeply integrated into the globalised agri-food system, which is characterised by trade liberalisation in food, global value chains, a shrinking natural resource base, and increasing concentration of land ownership involving the displacement of small-scale farmers – just to name a few aspects (McMichael 2009). This relates to what Moyo et al. (2019) describe as the ‘new scramble for Africa’. Several countries depend on

imports of food, seeds, and agricultural technique. Existing trade tariffs and conditions are often not in favour of local producers, retailers, and consumers. Another dimension is access to resources, particularly water and land. Several land acquisitions, mainly by foreign companies, negatively impacted the livelihoods of local populations, mainly small-scale farmers (Gyapong 2020).

Neoliberal approaches push the industrialisation of agriculture, which in many cases goes hand in hand with intensive land use, including mechanisation, Genetically Modified Organisms (GMOs) and fertilisers, decreased agricultural labour, and a shift towards large-scale farming. In this context, problems of resource degradation become visible. Moreover, small- and medium-sized producers share many negative experiences concerning integration into global value chains; they are low returns, volatile prices, and high production standards. Consequently, many of these producers seek different income strategies, turn away from farming, hope for a better future in cities, and struggle with food insecurity (Siebert 2020). Researchers frame these developments with the following concepts: de-agrarianisation, de-peasantisation, urban and rural un(der)development, and jobless urbanisation and growth (Du Toit and Neves 2014; McMichael 2016).

Certainly, these dynamics imply obstacles in achieving food security and remind us that food and nutrition security cannot simply be considered a public good; it is rather an impure public good and a joint product of private and public action (May 2017). Powerful markets and private actors concerned with maximising profits have a strong impact on food availability. Power asymmetries shape particularly (global) food value chains – the processors and distributors increasingly hold power rather than the producers or consumers. Multinational food and seed companies as well as retailers rapidly expanded their terrain all over Africa. In many regions, these have become a threat for the livelihoods of many small-scale farmers, traditional market structures, and traditional healthy diets. For instance, in West Africa, supermarket giants like Auchan, Carrefour, and Casino are just some international retailers exploring diverse strategies to get more customers (GRAIN 2018). Similar developments can be found all over Africa. For instance, Southern Africa, particularly South African retailers like Pick n Pay, Spar, and Shoprite, opened stores in the region and can attract diverse population groups, including township dwellers (Battersby et al. 2015).

The increasing numbers of supermarkets put pressure on a vital informal and rather traditional food sector, which is still key in providing and preparing food in many different areas all over Africa. Particularly street vendors and small food stalls are not able to compete with multinational retailers (GRAIN 2018). However, they play an important role in preparing and providing fresh and healthy produce and meals, selling smaller package sizes, and offering credits. City councils and urban planning are often unaware of these positive aspects and rather see disadvantages including lacking taxes, occupation of public spaces, and scaring away of investors.

Conclusion and recommendations for future food security policies

The COVID-19 pandemic has made dire situations in many places, e.g. slum areas, and related shortcomings of food security policies, more visible. The four dimensions of food security help to identify the problems on the ground and design combined interventions. However, creating and implementing food security and nutrition policies are complex tasks, which differ in diverse contexts depending on geographical, socio-economic, and political factors. ‘Cash Plus’ policies are one option that can address this. Governments increasingly adopt cash transfers in Africa (see detailed discussion in *Chapter 41*). They have been found

to achieve greater impact when combined with other services that amplify the direct income benefits (Roelen et al. 2017). These include behaviour change communication around nutrition, feeding and hygiene practices, supplementary feeding, and micro-finance, all linked to the delivery platforms used by the social protection policies.

'Double Duty' interventions are another option. These address the double burden of malnutrition by exploiting synergies between the drivers of undernutrition, overconsumption, and micronutrient deficiencies (FAO et al. 2020). This can simultaneously reduce the risk or burden of undernutrition (including wasting, stunting, and micronutrient deficiency or insufficiency) and overweight, obesity, or diet-related NCDs (WHO 2017; Hofman et al. 2021).

Nonetheless, the enduring high rates of hunger and the emergence of the double burden of malnutrition that persisted even when hunger is sated remind us of the systemic reasons particularly persisting un(der)employment connected to poverty and structural inequalities. Closely intertwined with these issues are the dynamics of an increasingly globalised and industrialised agri-food system that implies trade liberalisation in food, volatile food prices, a shrinking natural resource base, increasing concentration of land ownership, and greater commercialisation of the food value chain (McMichael 2009). Small-scale and medium-scale food providers and poor consumers are confronted with diverse challenges regarding proper food, market, and broader resource access and lack a voice in these developments. Food parcels, school feeding schemes, and agricultural training are common food security interventions that do not necessarily solve these issues.

Food security policies need to engage with people's needs and responses from below to be effective and sustainable. Civil society and community-based organisations, and social movements are often key in building linkages and creating sensitivity for the issues on the ground. This implies first parallels to the food sovereignty idea, which calls for a discourse of public control of food systems and participation of civil society in shaping food policies (McMichael 2016; Siebert and May 2016). The localisation of food production, including local food policy councils, direct producer-consumer linkages, and collective purchasing groups (food cooperatives), has recently gained attention and aim to avoid some of the challenges of a global and industrialised agri-food system. Also, a rural bias of governmental policies has been identified, with the result that food security in urban areas is not targeted sufficiently (Crush and Riley 2018).

Further, better data coverage and detailed information on food insecurity's specific dimensions and related roots are of utmost importance. It is one suggestion to include related questions in national censuses. Follow-up specific measures are also needed, especially through detailed monitoring and evaluation. Finally, the democratisation of the food system is necessary to avoid top-down governmental interventions and the dominance of private companies both within and outside Africa.

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PUBLIC POLICY AND SOCIAL PROTECTION IN AFRICA

The rise of cash transfers

Nathanael Ojong and Logan Cochrane

Introduction

Interest in social protection has grown significantly in Africa over the last two decades. The rise of social protection is surprising as it is contrary to the dominant narratives of marketization and neoliberalism (Ferguson 2015). Social protection is “the set of public measures that society provides for its members to protect them against economic and social distress that would be caused by the absence or substantial reduction of income from work as a result of various contingencies (sickness, maternity, employment injury, unemployment, invalidity, old age, and death of the breadwinner)” (Garcia and Gruat 2003, p. 13). In other words, social protection focuses on providing security to vulnerable segments of the population. Social protection has several functions which include (a) protective—measures designed to save lives and reduce deprivation levels; (b) preventive—reducing people’s exposure to risks through social insurance programs such as pensions and health insurance; (c) promotive—to enhance the capability of the vulnerable to protect themselves against hazards and loss of income; and (d) social justice—to reduce inequities and improve social integration through changes in laws, budgetary allocations, and redistributive measures (Hickey et al. 2020; ILO 2015; Niño-Zarazúa et al. 2012). The key sub-categories of social protection include social assistance and welfare programs (e.g. cash and food transfers, old age grant), including programs aimed at building capabilities (e.g. school feeding schemes, child support grant, provision of free health services or at a reduced fee); social insurance programs aimed at reducing people’s exposure to risks and vulnerabilities (e.g. health, life and asset insurance, pension); labor market programs, for example, public works programs, small business development (ILO 2015). Various social protection programs are on the rise in Africa, and 66% of existing non-contributory social protection programs were introduced between 2000 and 2015 (Cirillo and Tebaldi 2016).

One of the major components of social protection that has expanded over the last two decades is cash transfer programs. Cash transfers are non-contributory social safety nets that offer cash benefits to poor households and other vulnerable populations. The modality tends to be divided into two categories: conditional cash transfers (CCTs) and unconditional cash transfers (UCTs). CCT programs usually provide cash to poor households on the condition that they fulfill specific requirements, such as school attendance of their children or the use

of health services. In other words, CCTs address the problem of underinvestment in human capital not only by compensating individuals in the short term for the real costs of investing in health, nutrition, and education but also by adding requirements for households to use services that have long-term payoffs in these areas (Medlin and de Walque 2008). UCT programs do not require beneficiaries to perform specific actions. People become eligible based on inclusion criteria (World Bank 2018). In general, cash transfer programs provide money to poor populations in three ways. First, able-bodied adults are paid wages for work on public works programs, and this option is used where poverty is due to transitory unemployment (Seekings 2007). Second, pensions or grants are provided to poor segments of the population who cannot work due to age or disability (ibid). Third, grants are provided to poor households with children to enable those children to take advantage of educational and economic opportunities (ibid).

According to the World Bank's ASPIRE database, since 2000, governments in at least 46 African countries have implemented cash transfer programs. In some cases, governments offer multiple versions of such programs, serving different populations. In addition to the rise of new programs, governments are expanding these programs. For example, in Senegal, the National Cash Transfer Program expanded from 3% of the total population in 2013 to 16% of the total population in 2016 while Tanzania's Productive Social Safety Net coverage increased from 0.4% to 10% during the same period (World Bank 2018). The rise of cash transfer programs has been labeled as a 'quiet revolution', and the rise is based on realizing that 'you cannot pull yourself up by your bootstraps if you have no boots' (Hanlon et al. 2010, p. 4). Although there has been a significant increase in cash transfer programs across the continent, some countries have not implemented these programs, which requires policy tracking.

The chapter aims to track the development and expansion of cash transfer programs across the continent, examining their form, scale, and scope. We explore potential reasons for policy diffusion and examine why some countries have not adopted such programs. Based upon these analyses, we reflect upon who these programs are being designed for, and, equally important, who is being left out by these designs. At the end of this work, we highlight that while social protection initiatives have made important contributions, their design is based on a narrow set of factors, which neglects key drivers of inequality, such as power and politics. Unless this is addressed in policy and design, there is a potential for marginalization and exclusion to be entrenched and replicated. A broader intersectional perspective that includes assessments of power and politics is required to ensure 'those most behind' do not continue to be left behind.

Rise of cash transfers

As cash transfer programs are on the rise in Africa, it is crucial to historicize the emergence of these programs. In Africa, the concept of social assistance can be traced back to the 1920s, when it was designed as a non-contributory social pension. In South Africa, the non-contributory social pensions were instituted in 1928 in order 'to lift "poor whites" out of poverty and re-establish a clear racial hierarchy' (Seekings 2007, p. 375). In 1944, the South African government extended social old-age pensions to non-white populations but offered much lower levels of benefit (van der Berg 1997). In 1965, the ratio of white pensioners to non-white pensioners was 11:1 (Devereux 2001). Similar trajectories unraveled in the other settler colonies in Southern Africa. In Zimbabwe, a non-contributory old-age pension program was introduced in the 1930s for whites (Iiffe 1987; Kaseke 2002). As in

South Africa, a non-contributory old-age pension was introduced in 1949 in Namibia but provided only to the white population; only in 1973 was it extended to black Namibians (Pelham 2007). The extension of this program to non-whites in Namibia was motivated by the need to win hearts and minds during the national liberation struggle (Devereux 2001).

In colonial Mauritius, the non-contributory old-age pension program was introduced in 1950. It was seen as the more appropriate means to mitigate poverty due to a shortage of land for subsistence agriculture and the country's dependence on the price of commodity exports (Seekings 2011). Botswana launched a non-contributory old-age pension scheme in 1996, which enabled those aged 65 and above to meet their basic household needs (IDS 2005). Still, in Southern Africa, Lesotho introduced the non-contributory pension in 2004, which targets those aged 70 and above (Pelham 2007), and Eswatini (formerly Swaziland) launched a social pension program in 2005. In sum, Namibia, Mauritius, Zimbabwe, and South Africa have a long tradition of providing social assistance to vulnerable populations in the form of social pensions.

Beyond social pensions, some African countries introduced cash transfer programs targeting other vulnerable segments of the population. South Africa and Namibia have comprehensive national systems for cash transfers to households with vulnerable children, introduced in 1960 and 1973 respectively (ibid). Botswana launched the Destitute Person's program in 1980, which targeted those unemployed for more than two years, disabled persons older than 18 who could not work, households with severely malnourished pregnant women, and households with severely malnourished children (IDS 2005). Mozambique introduced an urban cash transfer program, *Gabinete de Apoio à População Vulnerável* (Office for Assistance to the Vulnerable Population), in 1990 to assist destitute households. However, in 1998 the program was expanded outside provincial capitals into much smaller urban centers (Low et al. 1999).

Many African governments regarded cash transfer programs as being able to tackle some of the adverse effects of structural adjustment. Implementing cash transfer programs by a wide range of African countries post-2000 is a major departure from the years of structural adjustment where the social policy was not a priority. In the 1980s and 1990s, at least 35 countries in sub-Saharan Africa implemented IMF- and World Bank-sponsored structural adjustment programs (SAPs). These programs sought to end many forms of public social protection and encourage private-sector alternatives. It is widely argued that SAPs led to an increase in poverty (Ojong 2020; Riddell 1992). Seshamani (1994, p. 114) contends that due to structural adjustments, Ugandans were 'worse-off than they were 20 years prior'. Ghana, often regarded by the World Bank as an exemplary student due to its thorough implementation of SAPs, recorded an increase in poverty (Konadu-Agyemang 2000), in addition to other social costs. The social costs of SAPs and the high levels of poverty across many countries contributed to the rise of cash transfer programs across Africa to tackle these issues (Brooks 2015; Hickey and Seekings 2020).

In addition to responding to historical policy, the success of cash transfer programs such as Brazil's *Bolsa Escola* (later integrated into *Bolsa Família*), which began in 1995, and Mexico's *Prospera* (later renamed as *Oportunidades*)—which was introduced in 1997—in fighting poverty, inspired some donors to change course and some African countries to implement cash transfer programs (Brooks 2015). Impact evaluations of these programs showed that cash transfer programs were effective tools for poverty relief in the short term and reduced poverty and inequality in the longer term (Bouillon and Tejerina 2006; Lindert et al. 2006). These programs also had some positive impacts on school attendance, drop-out rates, grade promotion, and reducing malnutrition-related stunting (Adato and Bassett 2009; Cardoso and Souza 2003). Based on the experiences in both countries, cash transfers were regarded as 'the best strategy

for reaching families who are the very poorest, most capacity constrained and at-risk, in large numbers, relatively quickly, in a well-targeted and systematic manner, compared to alternative approaches' (Adato and Bassett 2009, p. 72). For instance, in less than a decade after the introduction of *Progreso* in Mexico, it reached a quarter of the population and, notably, 94% of the budget reached the beneficiaries as operational costs were low (Ballard 2013). In Brazil, 18 million households (i.e. 74 million people) had benefited from cash transfers by 2010 (Hanlon et al. 2010). Also, the fact that the creation of Brazil's cash transfer program was supported, technically and financially by the World Bank and DFID, contributed to its prominence and appeal, as both institutions invested in publications and sponsored events where the country's representatives presented the experience (Leite et al. 2015).

Following the millennium development goals (MDGs) launch in 2000, cash transfer programs were also regarded as a way of tackling interrelated development problems such as education, health, nutrition, and the empowerment of women. Ghana's conditional cash transfer program was grounded in the poverty-alleviation targets of the MDGs (Brooks 2015). Nigeria's Conditional Cash Transfer for Girl's Education, launched in 2008 with World Bank financial support, aimed to promote girls' education in Kano State, one way it sought to make progress toward the MDG of universal primary education and gender equality (Garcia et al. 2012).

As poverty affects segments of the population differently, cash transfer programs were designed with the most vulnerable segments of the population in mind—such cash transfer programs were designed with targeting criteria for specific populations, such as children, orphans, the elderly, the unemployed, and those living with disabilities. Other countries with cash transfer programs targeting people with disabilities include South Africa and Namibia (IDS 2005). The Government of Rwanda implemented the Vision 2020 Umurenge Program (VUP) in 2007, which targets low-income families (Republic of Rwanda 2007). Malawi launched the Mchinji Program in 2006, while Senegal launched the Child-Focused Social Cash Transfer program in 2009. These programs had a primary goal of tackling poverty-related issues among these vulnerable groups. The focus on children, in particular, is based on the development narrative that they constitute agents for the future; hence, investing in them has long-term implications (Leisering 2018).

The rise of cash transfer programs in Africa is also attributed to the devastating impact of the HIV/AIDS crisis. An estimated 13.4 million children and adolescents (0–17 years) worldwide had lost one or both parents to AIDS as of 2015, and over 80% of these children (10.9 million) live in sub-Saharan Africa (UNICEF 2016). In some countries that are severely affected by the epidemic, many orphaned children—for example, 74% in Zimbabwe and 63% in South Africa—are orphaned due to AIDS (WHO 2014). Also, mothers living with HIV/AIDS find it challenging, without considerable support, to give young children the care and attention they need to survive and thrive (Stein et al. 2005).

The HIV/AIDS crisis had also weakened informal safety nets (Garcia et al. 2012). As a form of social protection, informal safety nets draw on support (e.g. gifts, food and other necessities, interest-free loans) from extended family, kinship groups, friends, and neighbors. In the context of HIV/AIDS and the weakening of informal safety nets, cash transfer programs were introduced in several countries to assist vulnerable households, especially those with orphans and/or adults living with HIV/AIDS. Lesotho's Child Grants Program, introduced in 2009, provides cash transfers to families with orphans or vulnerable children (OVC) in 'order to encourage, fostering and retention of OVCs within their families and communities, and to promote their human capital development' (Pace et al. 2019, 44).

In a similar vein, the *Kwa Wazee* cash transfer program was introduced in 2003 in rural Kagera in northwest Tanzania—an area severely affected by HIV/AIDS—to support elderly people who are carers of orphans (Richter 2010). Also, in East Africa, Kenya introduced the cash transfer program for orphans and vulnerable children in 2004, and it was expanded to the entire country in 2009 (Adato and Bassett 2007; Niño-Zarazúa et al. 2012). In West Africa, Burkina Faso introduced the Nahouri cash transfer program in 2008 that targets OVC (Cirillo and Tebaldi 2016). Most of such programs targeting vulnerable children affected by HIV/AIDS are based in Eastern, and southern Africa because of the geographic burden of the impact of the disease (Kharsany and Karim 2016).

Additionally, cash transfer programs have been increasingly replacing food aid in Africa (Devereux 2016) due to recognizing the failure of other kinds of aid in attaining their goals (Garcia et al. 2012). For countries experiencing famine, cash transfers were a better alternative to food aid. According to Oxfam (2005, p. 4), ‘cash transfers are faster, more cost-effective, and provide more culturally appropriate foods than most food distribution’. A four-country study found that cash transfers could benefit almost 20% more people than a similar amount of food aid (Margolies and Hoddinott 2015).

However, other studies have shown that food or food and cash combinations outperform cash in increasing household caloric intake (e.g. Gentilini 2016). There is a lengthy debate on the most effective modalities for famine relief, depending on the context, which is beyond the scope of this continental overview.

An example of a cash transfer program that emerged with famine relief as a key driver was Ethiopia’s Productive Safety Net Program, which was introduced in 2005, and has expanded to be one of Africa’s largest social safety net programs (Slater et al. 2006). Ethiopia’s Productive Safety Net Program is seen as more effective in addressing the long-term problem of food insecurity than the provision of food aid (Berhane et al. 2014). The main modality of Ethiopia’s Productive Safety Net Program is conditional on labor contributions, but it also includes non-conditional modalities for those unable to work (Cochrane and Tamiru 2016). This is also the case of Tanzania’s Productive Safety Net Program.

In sum, several factors account for the rise of cash transfer programs across Africa. The emergence of evidence that existing programs reduce poverty and income inequality, improve nutrition and expenditure on children, and benefit large populations over a sustained time frame has made them very attractive. Unsurprisingly, new cash transfer programs have been introduced across the continent, while existing ones have been expanded to reach more beneficiaries. In this context, it is vital to examine the mechanisms of policy diffusion and explore why some countries have not introduced these programs.

Policy diffusion and outliers

Historically, countries tend to replicate and adapt the policies of others, one form of policy diffusion (Leisering 2018). Scholars have highlighted four major policy diffusion processes: learning, imitation or emulation, competition, and coercion (Evans 2004; Shipan and Volden 2009). In some cases, as we have shown, African countries that have introduced cash transfer programs do so because of the success experienced by other countries and seek ‘best practices’ or evidence-based policy options. In learning, the focus of policymakers is on the policy itself; in other words, how it was designed and whether it was effective (Shipan and Volden 2009).

Unlike learning, imitation as a mechanism of policy diffusion is not related to the objective of a policy. Instead, the symbolic and socially constructed characteristics are vital

(Greenhill 2010). While learning focuses on the policy, imitation focuses on the actor, copying the actions of another state to look like them (Shipan and Volden 2009). Hence, some policies will be highly regarded and accepted regardless of whether they work, while others will not enjoy high acceptance even if these policies could be beneficial (Maggetti and Gilardi 2016). The third mechanism of policy diffusion—competition—unfolds when countries react to attract or retain resources (Maggetti and Gilardi 2016).

For instance, a country is more likely to liberalize its international economic policies following similar reforms among its competitors (Simmons and Elkins 2004). The fourth mechanism of policy diffusion—coercion—refers to the power of actors, such as international organizations (e.g. United Nations, IMF), to exert pressure on another country to adopt a policy (Gilardi 2012). Earlier, reference was made to SAPs which were implemented by several African countries and are an example of this. The implementation of SAPs was a condition for these countries to receive loans and loan guarantees from the World Bank and the IMF.

The case of cash transfer policy diffusion provides an opportunity to extend our understanding of diffusion processes across Africa. Of interest to us are the specific mechanisms that cause this social policy to spread from one country to another. As mentioned earlier, Brazil played an influential role in the adoption of cash transfer programs across Africa, highlighting the concept of transnational diffusion. In other words, Brazil's *Bolsa Escola* program diffused beyond Latin America to other regions (Peck and Theodore 2015). Brazil's influence played out in various ways. In 2006, officials from Brazil's Ministry of Social Development attended an African intergovernmental conference on social protection organized by the African Union to share knowledge on cash transfer programs (Béland et al. 2018).

Participants at the conference reached an agreement named the Livingstone Call for Action, which explicitly encouraged member states to adopt cash transfer programs (African Union 2006). That same year, the Africa-Brazil Program on Social Development, supported by DFID and the International Poverty Centre for Inclusive Growth, was launched during a study tour that brought together representatives from six African countries to exchange experiences in cash transfer programs (Leite et al. 2015). The exchange led to creating the Livelihood Empowerment Against Poverty (LEAP) project in Ghana, financed by DFID, which included cash transfers as its principal component (ibid). Before the LEAP launch in 2008, Ghana had sent a team of government officials to Brazil to learn about its cash transfer experience (Foli et al. 2018). There were also three Brazilian missions to Ghana in mid-2007 to assist with program design and implementation (Béland et al. 2018).

The Ghanaian case study brings to the fore one of the major policy diffusion mechanisms—learning. The relevant Ghanaian officials actively engaged with their Brazilian counterpart to learn from their experience. Interest in the Brazilian experience was due to the success of its cash transfer policy. But the introduction of the program in Ghana also shows the role of domestic and external actors in the design and implementation of social policy. There was political will in Ghana as the cash transfer policy aligned with President John Kufour's goal to reduce poverty in the country, and the then Minister of Social Development had worked with the UN, so was familiar with cash transfer as a component of social policy (Béland et al. 2018). These domestic actors worked with external actors (e.g. DFID) in the design and implementation of the program (these external actors, by this time, had been involved in supporting several other cash transfer programs; Hickey et al. 2009).

Even though DFID, in particular, had been pushing the cash transfer policy agenda in Africa, the policy would not have been implemented and expanded in Ghana without domestic political support. Scholars widely argue that international actors implement pilot

programs to convince domestic actors of their value (Barrientos and Villa 2013). However, such pilot projects are unlikely to scale without domestic political support (Devereux and White 2010). The point emphasized here is that policy diffusion cannot occur in the absence of a favorable national political context (Hickey et al. 2020). The introduction of cash transfer programs in African countries is often strongly shaped by national politics (Lavers and Hickey 2016; Saminathen 2020). For example, in the 2000s, external pressure from donors failed to convince the Zambian and Ugandan governments to roll out nationally cash transfer programs (Granvik 2016; Grebe and Mubiru 2014).

There is also an indication of the imitation mechanism of policy diffusion at play concerning cash transfer programs across Africa. Hickey et al. (2020, p. 6) contention that ‘South African and Mauritian cash transfer programmes influenced the design of programmes elsewhere in Africa’ (Hickey et al. 2020, p. 6). Lesotho seems to be a good example, as it adopted the ‘Southern African’ model of social pension. As mentioned earlier, several of Lesotho’s neighbors had already launched social pension programs before its introduction in 2004. Arguably, as used in Lesotho’s case, imitation is limited to adopting the concept of social pension (not all agree with this narrative, see Saminathen 2020). There was domestic support for the program among the domestic political elite, including from the Prime Minister and Minister of Finance (Pelham 2007). It was precisely because of the political support and the country’s ability to finance the program that it skipped the pilot phase and was rolled out nationally (Granvik 2016). The case of Lesotho indicates that in practice, the distinction between learning and imitation cannot always be clear-cut. An experience in a country may allow learning and induce imitation (Shipan and Volden 2009).

The World Bank provided financial assistance to enable countries such as Kenya and Nigeria to implement cash transfer programs, indicating another mode of policy diffusion—coercion. In the international setting, international institutions (e.g. World Bank and ILO) and donor agencies (e.g. DFID) play a critical role in policy diffusion (Hickey et al. 2009). These institutions often exert pressure on governments to take action and can be viewed as a form of coercion (Shipan and Volden 2009). Arguably, the financial incentive provided by the World Bank and other donor agencies such as DFID exerted pressure on some countries to launch cash transfer programs. Given the scale of some of these programs, such as Ethiopia’s Productive Safety Net Program, financial coercion is a significant factor to consider in the diffusion process.

Although there is mounting evidence regarding the benefits of cash transfer programs, several countries across the continent have not adopted these programs. According to the UNDP database, ten African countries (Central African Republic, Chad, Democratic Republic of Congo, Equatorial Guinea, Eritrea, Gabon, Guinea-Bissau, Libya, Somalia, South Sudan) do not have a government-run cash transfer program.¹ These countries can be divided into two groups. The first group consists of politically unstable countries and/or countries going through conflict, which may not have had the ability to focus on these forms of policies due to other priorities. The second group of countries without cash transfer programs is made up of oil-rich countries (Equatorial Guinea and Gabon). That these countries do not have government-run cash transfer programs is surprising, as these countries are relatively better-off when compared to other African countries due to revenue generated from oil-related activities.

According to the World Bank, as of 2020, Equatorial Guinea and Gabon were the third and fifth largest oil producers in Africa, respectively. In these instances, one cannot argue that the absence of a cash transfer program is due to the inability of these countries to finance it. In addition, one cannot argue that the populations of these countries are better off due to

oil exportation. According to estimates, 30% of Gabonese live in poverty,² and in Equatorial Guinea, about 55% of the population lives in poverty.³ The absence of cash transfer programs in these oil-producing countries indicates that these programs do not have the support of the domestic political elite and have not been sufficiently demanded by their respective populations. The lack of interest among the domestic political elite suggests that the political consequences are negligible.

Leaving no one behind?

In reflecting on the development and expansion of cash transfer programs during the most recent decades across Africa, certain populations are commonly targeted: elderly populations, orphans and vulnerable children, and chronically food-insecure households (see also *Chapter 40*). Despite the objective of ‘leaving no one behind’ in the 2030 Agenda, this has not been a focus of these programs, nor has it targeted the most vulnerable based on a systematic assessment that would target ‘those most behind’ (Leisering 2018).

At the country level, governments have not covered all of these vulnerable populations equally. For example, Ethiopia has focused on chronically food-insecure households as the primary target population for its Productive Safety Net Program. However, the country does not have programs specifically designed for the elderly, those living with disabilities (although there is a small component in the Productive Safety Net Program for this) or orphaned children, despite recognizing such programs (Lemma and Cochrane 2019). A country-by-country analysis suggests that governments have prioritized some over others, which appears connected to policy diffusion aspects of coercion by donors and domestic political demands.

However, more broadly, certain aspects of inequality are not being considered at all. For example, in another work, we have analyzed the literature on cash transfers in Africa—show that while gender and age are commonly considered when analyzing inequality, ethnicity, ability, politicization, patronage, and geographies (i.e. informal settlements, remote areas) are not. This suggests that certain forms of vulnerability are viewed as important in designing cash transfer programs, while others are not. Notably absent from the literature are components of inequality related to politics and power relations, such as ethnic and religious marginalization, the political usage of social programs to entrench control, and power relations in the form of patronage. Much more research is needed to analyze cash transfer programs from these perspectives to understand better the implementation in relation to these factors and unintended outcomes of such decisions. These gaps in policy, program design, and research need to be addressed, lest these programs further entrench and marginalize. If the driving factors of inequality and exclusion are not considered, such as the role of power and politics, the promotive and social justice components of social protection will not be met.

Conclusion

Social protection has a long history in Africa but has rapidly expanded in scale over the past two decades. Nearly all countries across Africa have social protection programs of one form or another. The emergence of these programs post-2000 relates to a response to the harms caused by structural adjustment programs, lessons learned internationally, the introduction of the millennium development goals, and domestic demands such as responding to the HIV/AIDS crisis or as a tool for famine prevention. These policies have tended to spread, or diffuse, from country to country based on learning but have also been a product of donor

pressure. While these programs have made significant contributions, some populations have been prioritized over others in these programs, which remains under-researched but requires much more critical reflection.

Notes

- 1 <https://social-assistance.africa.undp.org/country>. By government run we mean that the government manages the cash transfer program even if it is fully or partially funded by donors.
- 2 <https://www.ifad.org/en/web/operations/country/id/gabon>.
- 3 <https://www.wfp.org/countries/guinea>.

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A GENEALOGY OF POLICIES ON POOR AND VULNERABLE CHILDREN AND YOUTH IN KENYA

Elizabeth Ngutuku

Introduction

Policymaking processes often rely on specific knowledge, images or frames and discursive mechanisms on the identity, needs and rights of those targeted by policies (see, Chapter 8 in this volume for a detailed discussion). This chapter's policy histories or policy chronology of children in Africa examines how various discourses on poor and vulnerable children and youth connect in different moments, locating their intersections and connections. Drawing on various texts from Kenya while seeking hypothetical generalizations for Africa, this discussion is structured around key non-linear historical periods. These periods act as signposts for understanding the discourses and representations of children's needs, rights and identity. The periods are the late colonial and early independence period (1952–70) where the needs of young people were conflated with *discipline* and used as weapons for control; the period from the 1980s when the image of a street child was seen as a source of shame; and the period beginning from the 1990s when what I call an 'HIV/AIDS afraid sensibility' influenced policies and interventions for poor and vulnerable children by raising national and political psyche (and policy narratives) across Africa. I complete the analysis by merging these periods into the contemporary moment starting in the year 2000. The argument is that the category Orphaned and Vulnerable Child (OVC) became and continue to be the dominant way of thinking about child poverty and vulnerability. As such, this chapter explores how various discourses connect in different moments and when a specific discourse may draw from, re-member (or flatten out) previous or another discourse. Instead of defining a poor and vulnerable child, different ways and contexts in which the category emerged are presented including how child poverty and vulnerability were imagined. The case of Kenya specifically exposes the complex mix of the discursive policy system on the welfare of poor and vulnerable children and youth in Africa.

This discussion is influenced by Fraser's (1989, p. 166) argument that needs identification and construction is a contested terrain where 'groups with unequal discursive (and non-discursive) resources compete to establish as hegemonic their respective interpretations of legitimate needs'. Also, Deleuze and Guattari's (1987) perspectives of reality as a rhizome and as a map, with complex connections, is used while linking this thinking with Foucauldian Genealogy. The latter draws upon history to problematize and critically engage the present and exposes the taken-for-granted frames or images (Garland 2014; Schmid 2010, p. 2104).

However, this genealogy hardly assumes a linear, progressive or chronological development of general historical studies (Schmid 2010) but as a rhizo-discursive account sometimes takes different directions. Several questions guide the discussion in this chapter. Is there a discernible ontology of a poor and vulnerable child or youth in these constructions and discourses? Who has the power to define the needs of children and young people and whose voice is missing? In what ways may perspectives on the structural inequalities be silenced? What present and future subjectivities for children are imagined in these discourses? How are these discourses entangled with others in the past or the present? What do these discourses mean for rights and citizenship entitlements? The ongoing discussion is, therefore, divided into the following sections: The section that follows looks into the historical context of the poor, vulnerable children and youth in Kenya. In this section, I also conflate child welfare, discipline and protection within the colonial state and later years of independence in Kenya. How these may have informed current discourses of public policy in Kenya concerning poor and vulnerable children and youth and how they relate with other contexts outside Kenya are further discussed in the proceeding sections. From here, I look into explicit policy implications of the non-linear genealogy of government policies and programmes, including a focus on social protection policies for poor and vulnerable children and youth in Kenya. I conclude with the general overview of this chapter's discussion.

Historical context of the poor, vulnerable children and the youth in Kenya

Placing the representations of child poverty and vulnerability in Kenya and Africa generally in their colonial and early post-colonial context and antecedents reveal how specific 'keywords' and constructions of children and youth and their needs were assembled in representing children and youth, and poverty and vulnerability. However, these *keywords* have arguably unspoken assumptions that need to be examined (Fraser and Gordon 1994). Therefore, it is important to explore the role of the colonial government in creating a cadre of specific vulnerable and poor children and youth and demonstrate how welfare to children and young people was linked to control and governance in the colony. The late colonial period, especially during the fight for independence (especially from 1952), created vulnerabilities for many children. To control the insurrections for independence, especially during the *Mau-Mau* [1952–60], Kenya's colonial authorities declared a state of emergency from 1952 to 1956. Consequently, many children and young people were rendered vulnerable because their parents were detained (Mbugua 2012).

As one of the strategies used against the 'rebellion', the villagization policy marks an important departure for this analysis. This policy, which was also common in other British colonies, forced especially people from the Kikuyu community in central Kenya (who hosted the *Mau-Mau* rebellion) to move into 'protected' villages. Initially, the policy was couched in the language of protection, but its actual intent was to contain Africans in these villages forcefully. Several families were cramped in one house in some villages, surrounded by barbed wire and ditches, and continuous surveillance and excessive discipline were imposed on them. Children were said to be suffering from disease and hunger (Sandgren 2012). Children's vulnerability was accentuated by the fact that the colonial government ordered the destruction of food crops. Education in the colony was also scarce since the British colonialists destroyed most independent schools because they were seen as *Mau-Mau* sympathizers.

In demonstrating the cognitive struggles around needs definition in policies and how needs may be 'psychologized' without attention to structural causes, the colonial government

relied on Carothers, a British psychologist's work to justify and give scientific weight to this villagization policy. The colonial government commissioned Carothers to inquire into the causes of and remedies for the Mau-Mau uprising. Ignoring the effects of the dislocation of the Kikuyu by the colonial authorities, he argued that the Kikuyu were suffering from the effects of the transition from traditional ways to modernity (Carothers 1955, p. 22). He recommended that the villagization policy stopped young men from going to the villages and coming back to the city. This bolstered the need for continued sanitization of the cities from the black youth and ensured ultimate control by the colonialists.

Another colonial practice in 1954 that affected the well-being of children and youth was 'Operation Anvil'. Here, perceived Mau-Mau loyalists in Nairobi were detained, screened and sent to detention camps. Others were repatriated to the reserves to clear them from the streets of Nairobi. Wives and children were sent to separate detention camps and other children were left without caregivers. Ocobock (2010, pp. 223–5) noted that the roundups were very swift, leaving children lying in their cots unattended for days. These colonial practices and their role in child vulnerability are what Lind (2019, p. 338) has called the process of 'vulnerabilization' or different ways in which the state creates conditions of vulnerability.

Conflating child welfare, discipline, child protection, colony and the nation

Child welfare and interventions relating to young people in the late colonial period can be termed a specific imperial undertaking and statecraft aimed at ensuring the smooth running of the colonial empire. Besides, concerns about an empire teetering on the brink of collapse, or what Ocobock (2017) called an elder state (to represent the concern with generational relations), fuelled control and attention on children and young people. Ocobock's notion of an elder state demonstrates how the colonial state in Kenya, faced with uncertainties, used male youth for control. An elder state also applies to decolonization, where young people, particularly male youth, were used as weapons in the decolonizing and post-colonial project. Youth and children, especially the poor and vulnerable, can thus be seen as a site where race, gender, poverty, vulnerability, generation/age, colony and later nation were constructed.

In 1954, the colonial government established the Ministry of Community Development in response to child and youth protection issues. This provided social services such as education, probation and community development (Mbugua 2012, p. 11). In 1955, the Prevention of Cruelty and Neglect of Children Ordinance was enacted. This Ordinance is part of a social and bio-political project (Foucault 2008) because, besides protecting the well-being of vulnerable children and youth labelled 'destitute', it addressed the increasing juvenile crime cases. The rise in crime was attributed to young people who had moved to urban centres because of forced migration or their parents' death (Hilton 2016). Through this ordinance that was protective and correctional simultaneously, one can trace a genesis of the failure of the state to distinguish between child discipline and child protection. This is because delinquent children were lumped together with the poor and/or those made vulnerable by colonial actions.

Indeed, the Emergency (Welfare of Children) Regulation of 1954 gave the district commissioners the right to detain young people under 16 years, including those whose parents were detained or missing before being transferred to approved institutions for care until the end of the emergency period. This led to the loss of freedom for many children. Ocobock (2010) further notes that children were taken to detention camps, primarily street children, who were seen as thieves and criminals when this intervention failed. No distinction was therefore made between poor and vulnerable young people who needed protection and the delinquents.

This child protection model where protection was conflated with discipline was later reflected in the Children and Young Persons Act cap 141 of the laws of Kenya of December 1963. This law also targeted children found begging, gambling, buying drugs and children whose parents were not taking care of them. Consequently, communities, teachers and guardians could discipline such children (Mathieu 2012). This intervention model is still applied in Kenya, for example, in addressing street children who, in some cases, are taken to rehabilitation centres and treated as criminals.

During this period, a colonial government that was reticent on providing for the welfare of children, relied on non-governmental organizations and, the Child Welfare Society of Kenya (CWSK), a Non-Governmental Organization (NGO), was formed in 1955 to provide support to neglected children (CWSK 2015, no page). Also, many other organizations emerged to provide support to children and vulnerable populations or rehabilitate them. Other examples of how the colonial government collapsed delinquency, poverty and vulnerability were establishing rehabilitation centres and clubs for youth, sometimes run by non-state actors. In these centres, young people were variously referred to as destitute, vagrants or poor boys, homeless, orphaned and engaged in crime and sometimes even terrorists (Hilton 2016; Ocobock 2017).

Labelling boys and young men as vagrants or criminals reflect similar anxieties in the history of sanitizing urban spaces by clearing away the poor in England (Ocobock 2006) and later discourses of street children in the 1990s who were seen as criminals. Baughan (2020, p. 60) notes that instead of the needed reforms, the colonial government and NGOs sought to 'remake' these youth into colonial subjects, thereby remaking the society. These colonial welfare organizations also maintained the state 'on the cheap' by supplementing for the state to provide for the welfare of young people (Baughan 2020, p. 62). Accordingly, the post-colonial state also hardly provided for the children and the youths' needs. This role was instead either relegated to the family or community through the collective spirit of *Harambee*. Thus, the continuation of a minimalist state in Africa where NGOs largely finance interventions into children affairs is a colonial heritage.

Children of the debt and street children as victims and source of shame

While colonialism created identities of a vagrant destitute, delinquent or terrorist child and youth either in need of protection or punishment, the post-colonial experiences undoubtedly perpetuated these representations in various policies on children. For example, the 'shameful' street child category could be seen as the legacy of global economic policies promoted by the World Bank and the IMF, as discussed in this section.

In drawing rhizo-discursive lines between the discourse of clearing streets in colonial Kenya and later discourses and practices, one sees similar lines of thought on street vulnerable children as victims and as shame. Street children were seen as one of the unpalatable legacies of the World Bank/IMF's Structural Adjustments Programmes (SAPs) in the 1980s. SAPs introduced cost-sharing measures in the health and education sectors. Consequently, key sectors lacked funds and local populations were deprived of basic services. In Kenya, SAPs were said to create 'children in debt' as these programmes led to the exodus of children to the streets (Gakuru et al. 2002). Similar representations existed in Tanzania, where street children were criminalized and said to be gangs, prostitutes, drug peddlers, etc. (Lugalla 1995).

Relatedly, street children in the 1980s and beyond were also seen as victims following the effects of rapid urbanization in Kenya. Rapid urbanization and corresponding rural-urban

migration were linked to the degeneration of care values so much that the then-president Moi appealed for a return to solidarities of care. Seen through the aesthetics of the city, the media represented children as *defiling* Nairobi, the once famed 'city in the sun', with their Charles Dickensian manners of begging (Drummond 1993). With a lack of government support, these children (termed as 'urchins' or 'children of the bins') negotiated their own social contract with either caring individuals or various NGOs for support or admission for rehabilitation (Mathieu 2012).

The year 2002 saw a return of the colonial discourses of sanitizing the streets by expelling children and the youth. Droz noted that children were separated from their families and taken to separate camps for rehabilitation. Also, the government focused on the rehabilitation of street children to present itself as a better regime, casting the former regime as uncaring. Droz contends that this strategy was not just about disciplining children in a literal sense, but also about disciplining populations because the government was concerned with clearing the streets of 'lazy people' and disciplining everybody (including the street children and their families) into a work ethic (Droz 2006).

The actions and discourses around clearing children and young people from the streets during the colonial and the Kibaki presidency portrayed some similarities, i.e. they were both guided by nationalist concerns while neglecting children's rights and well-being. Second, in their concern with their image and the aesthetics of the city, both did not interrogate the role of structural issues in the experience of street children. Such an analysis should also not be lost to the perspective that these rural areas, where most of these poor people were expected to live, had few livelihood opportunities for young people and were also silent on the alienating education system that pushes young people to move to cities upon completion of schooling. While street children were a legacy of SAPs, an orphaned and a poor category child was seen as the legacy of HIV/AIDS, and this archetypal category guides child welfare policy in Kenya and Africa in general.

Welfare and needs of children as a disease: OVC as spectre and crisis

Green (2007, p. 147) argued that the term OVC is 'an emotionally compelling category and a dominant tool kit for child poverty'. OVC is a 'keyword' utilized in Kenya's child poverty and vulnerability policies, specifically and Africa generally. OVC has typically been seen as quintessentially a poor child and has been connected to the emergence of HIV/AIDS. Locating the term 'OVC' in the first Kenya parliamentary debate on the Creation of a National Orphan Support Fund in 1995 reveals how it was used as a signifier for a crisis of childhood and nationhood. Accordingly, an orphan was defined as a child between one and eighteen years who had lost a mother and not both parents. The understanding was that the father would eventually also die due to HIV/AIDS (GOK 1995, p. 2041). Discourses of HIV/AIDS as a catastrophe were also marshalled and it was not just that children were seen as orphaned due to HIV/AIDS but it was said that they would also die in large numbers (GOK 1995, pp. 2040–2). These projections, including the imagined future catastrophe, were also happening elsewhere where HIV/AIDS was 'ravaging' millions in Africa. Meintjes and Giese (2006, p. 410) referred to these projections on HIV/AIDS in South Africa as 'spinning the epidemic' while employing the language of drama. Meintjes et al. (2010, p. 47) later noted a disproportionate focus on orphanhood and its connotations of HIV at the expense of other children's needs, rights and vulnerabilities while masking other vulnerabilities.

In Kenya, the issue of child-headed households seen as a spectre was at the centre stage of these discourses of children affected by HIV, where children 10-to-12-year-olds were said to

heading households (GOK 1995, p. 2043). This spectre was often compared with a romantic past where communities cared for their children and anxieties centred on possibilities of children becoming street children in the future. In South Africa, Meintjes et al. (2010, p. 47) troubled this discourse of Child Headed Household and noted that these households tend to be transient since children are eventually cared for by relatives and that these households are complex. In Kenya, research reveals that these households are complex, and their characteristics cannot be fixed in advance (Ngutuku 2019).

With the predominance of the OVC category, the discourse of 'spectre' of street children that had occupied much of the policymaking in the 1990s mutated. For example, while there was already a fund for street children in Kenya, street children were seen as less deserving and support to them seen as misplaced. Their 'privileged' begging childhood was also emphasized since compared to those orphaned by HIV/AIDS they had parents who use them to beg (GOK 1995, p. 2104). This illustrates how specific lines in the assemblage of needs and rights discourses in policies may change at different moments when other needs emerge or even mutate to something new altogether (Deleuze and Guattari 1987). In contemporary programmes and policies, one can still observe the same exclusionary and normative frames that lay a disproportionate focus on some categories of children. This mutation of the needs of some categories in policy discourses also reveals how global aid faddism could lead to neglect of existing social policies like the case of support for street children in Kenya.

In most of these discourses, in Kenya and Africa, children and orphaned children specifically were seen as the embodiment of the country's future. In Kenya, the OVC category was seen as bad for the country in the present and because they were harbingers of poverty for the nation in the future. In prevailing upon people's conscience to support OVC, the disease-causing rise of OVCs was represented through the image of a sick state that could not fulfil its obligations to its citizens (GOK 1995, pp. 2044–5). This discourse connects to the post-colonial development sensibility in Kenya that was built on eliminating poverty, disease and lack of education (GOK 1965). Policies on children were therefore supported because HIV/AIDS was seen as the debris of a sick state that had haunted the newly independent Kenya. These imaginaries of support to children seen as vulnerable as a break from the past were evident in several African countries. For example, post-apartheid South Africa still struggles with addressing the evils of apartheid on children (Schmidt 2009) and where HIV was seen as 'eroding precious and hard-won development gains made since 1994' (Republic of South Africa 2005, p. 10).

Caring together for Africa's orphans: global discourses of OVC crisis

The representations of poverty and vulnerability were not 'unaccompanied' and were drawing from and were connected to the global cognitive struggles around OVC. The entry of the 'keyword' OVC into the development realm and its association with child vulnerability in Kenya was a by-product of the global processes around HIV/AIDS as a disease affecting considerable parts of Africa. This was specifically relevant for the East and Southern Africa region and Kenya in particular. These processes included: the drafting of the 1994 Lusaka Declaration, attended by 15 countries and which laid down a framework for supporting orphans; the 1998 UN Discussion on Children Living in a World with AIDS; the 2001 United National General Assembly Special Session (UNGASS) on HIV/AIDS where there was a special action plan for children and the 2002 UN Declaration on A World Fit for Children.

Various documents showing the magnitude of HIV/AIDS and its effects on children were also key in these processes. For example, during 1994–2004, a series of publications

on 'Children on the Brink' echoed the magnitude of the HIV/AIDS problem and its effects on children and poverty. Examples include the United States Agency for International Development and others (2003) and the Joint United Nations Programme on HIV/AIDS et al. (2004). In 'Africa's Orphaned Generations', HIV/AIDS was said to have created a generation of 'Africa's orphans', and the world was admonished to avert this 'grave' matter to prevent 'orphaning generations of children' (UNICEF 2003, p. 4). A sequel to this publication in 2006, 'Africa's Orphaned and Vulnerable Generations' (UNICEF 2006), continued with the narrative on the need to come to the aid of Africa to avert a generational catastrophe. These publications provided a perspective on the number of orphaned children, argued against institutional support and shifted responsibility from the state to community-based support for children affected by HIV/AIDS, often seen as the poorest.

Elsewhere, UNICEF set the agenda in a similar tone but with a different accent: emphasizing the need to averting a catastrophe of monumental proportions and worried about its silence. In 2002, UNICEF's Executive Director marshalled sympathy for a shock on the OVC statistics. She referenced the rights of children for survival but also emphasized the 'right' to political survival for nations that were being threatened by HIV/AIDS orphans, as evidenced in the discourse below:

The silence that surrounds children affected by HIV/AIDS and the inaction that results is morally reprehensible and unacceptable. If this situation is [...] not addressed now with increased urgency, millions of children will continue to die, and tens of millions more will be further marginalized, stigmatized, malnourished, uneducated, and psychologically damaged. The implications of this are monstrous ... by creating millions of orphans as it kills the very men and women vital to the functioning of society, HIV/AIDS sows the kind of political instability that can lead to strife and outright war.

(Bellamy 2002, n.p.)

In Kenya at the time, a human rights report appropriated the metaphor of death titled '*Kenya in the Shadow of Death*', fanning the discourses of catastrophe. It revealed that HIV/AIDS not only impoverished households but pushed children to the streets, affected their schooling, right to survival and development (Human Rights Watch 2001, p. 3). Indeed, while HIV/AIDS was a veritable threat to populations, the shock around child poverty and vulnerability was misplaced, as demonstrated by the *Joint Learning Initiative on Children* (JLICA) studies. JLICA was an international learning initiative by donors, policymakers and researchers, activists and people who have HIV/AIDS for collective learning on HIV/AIDS. It brought together actors from the Global North and South. It demonstrated how, despite millions of dollars targeting AIDS Orphans and drawing largely on the moral panic caused by 'shocking numbers', only 10% of children affected were reached by both state and non-state at this time. The rest were cared for within families (JLICA 2009, p. 9).

From discourse of crisis to practice: national action plans and care by community

The 'keyword' OVC continued to dominate the child poverty and vulnerability interventions in Kenya and became the ubiquitous lens through which children deemed deprived and vulnerable are viewed. The vulnerability of children was framed in terms of breaking down of community safety nets and international organizations with the government working towards a return to the community care for OVC. For example, in response to the

UNGASS requirements in 2001, an intervention termed ‘Orphan Competent Community’ was implemented in 39 communities in 13 farming districts in Kenya. The communities wrote social action plans on supporting orphaned children in their localities, and each community was given a grant of 4,000 euros (Skovdal et al. 2011). This model was also present in several African countries. For example, a 2005 policy framework for OVC in South Africa had similar discourses that these children were suffering and the community was invited to support them. This call for ‘caring together’ was the same in Tanzania, where village-level actors called *Most Vulnerable Committees* (Correl and Correl 2010) cared for the children orphaned by HIV/AIDS.

In repositioning the perceived social contract between the children and their communities and not with the state, this narrative of strengthening the community to care for OVC thrived on the absence of the state as the ultimate guarantor of children’s rights. Essential state services for children orphaned by HIV were lower in most African states. Other initiatives were the OVC Strategic Plans that dealt with the ‘orphan crisis’. These plans drew on the global definition of the term OVC. For example, in the Kenya OVC Plan 2007–10, an orphaned and vulnerable child was defined as a child ‘whose vulnerability is due to parent’s mortality or morbidity or household poverty or other social-economic factors that make it hard for children’s needs to be met’ (GOK 2008, p. 13). In this Strategic Plan, the justification for an OVC intervention was positioned within a frame that viewed the vulnerability of children whose parents had HIV as beginning even before the death of their parents. This was because of the increased responsibilities for many children and potential exposure to abuse, lack of education and related vulnerabilities.

With Southern and Eastern Africa seen as the epicentre of the epidemic, and that of the OVC crisis, these plans were developed in 29 out of 35 countries in sub-Saharan Africa between 2004 and 2007, and 92% included OVC in their national AIDS plans and several others into their PRSPs and national plans. While these plans enabled funding on child issues (Mathieu 2012), questions have been raised about the exclusivity of an OVC’s lens and the utility of stand-alone plans for OVCs, leaving out other children like those affected conflict and natural disasters in the region. The plans also revealed the tragedy of policy push by donors. For example, a review of the Tanzanian plan shows that the policy was alive on paper but dead in practice (an issue that has been repeatedly mentioned by different Chapters in this volume concerning other policy sectors and contexts in Africa). The government or even the NGOs did not fund it, and it was not even integrated into the local governance processes (Correl and Correl 2010).

African countries were to adapt to this framing of needs, sometimes to the detriment of their local policy of child welfare. Reynolds (2014) noted that this was against the programming guidance in other countries like South Africa, which did not allow programming on children based on causes of their vulnerability. This was also against the prevailing strategies at the time, primarily developed by UNICEF and others, which had argued against exclusion and stigmatization of children affected by HIV. Also, a focus on dead parents despite a child having one parent neglected living parents and ignored children living in poverty (Meintjes and Giese 2006). For example, such categorization restricted funds from the US President’s Emergency Plan for AIDs Relief (PEPFAR) to children in HIV prevalence areas whose vulnerability was not HIV-related (Reynolds 2014).

Policy implications

The non-linear genealogy of policy presented here illuminates the discourses of child poverty and vulnerability, and the poor and vulnerable child in policies and programmes. The

attendant policy discourses map into each other, revealing ruptures, continuities and discontinuities. The discourses and representations indicate that the category of the poor and vulnerable child in various policies and practice have been constructed variously by diverse, powerful actors through oftentimes contradictory understandings of children and young people's needs. I have revealed no fixed ontology of a poor and vulnerable child in the policy. Instead, the category is an assemblage comprised of legitimate needs and rights of young people; knowledge and expert discourses; local, national and international politics; nationhood; history; etc. While these discourses of needs and identity are shifting, the interstices around the shifts are visible. Without eliding the material aspects of poverty, the key argument in this chapter is that these representations provide certain versions of poverty and vulnerability in different historical and conjunctural contexts. As already demonstrated elsewhere in this volume, the definition of the needs of young people in policies and policy prescriptions is based on who has the power to define and act on needs. Indeed, as Cheney (2007) rightly argues, those willing to frame the needs in a particular way of accessing funding.

Social protection policies

The discussions support the view that most social protection policies tend to 'emerge from the supply side of the social contract (Chérrier 2015, p. 2). In addition, these representations go beyond simple policy framing that appeals to conscience to raise funds. In reality, they represent the interests or hopes of adults and not children themselves (Schmidt 2009). Indeed as Hulshof (2019, p. 3) noted: 'the positive development outcomes achieved in Africa's social protection programmes say little about the extent to which key [actors] comply with the procedural substance of Article 12 of the Convention on the Rights of the Child (CRC) on the right of the child to be heard with its views being given due weight'. Moreover, the needs' discourses often steer away from structural causes of poverty like land rights, dispossession and lack of education. There is therefore a need to not only include the voice of children and youth but also their lived experiences should inform social protection programmes.

These representations also invite specific acts of paternalism concerning children and caregivers, imagine certain citizens, invite certain subjectivities for children and young people, and render meaningful specific interventions (while excluding others). Even though outside the scope of this chapter, such framing also influences the way young people's needs are met in various social protection programmes. There is therefore a need for constant reflection on the role of these discourses in policy making and their effects on children in programmes of support.

Conclusion

The discussions have revealed that policy framing around child poverty and vulnerability in Kenya is not neutral but serves various interests and has various effects. For example, the discussions support Fassin's (2012) idea that conflating HIV/AIDS with poverty and vulnerability configures children's citizenship in biological terms. In such a case, qualification for support is primarily seen from the angle of association with the disease. The discussions also reveal that some of the policy prescriptions may be out of touch with Africa's context. The way the child and youth policy 'is merchandised' (Adesina 2011) by powerful actors may not be the only problem. More worrying is that policy framing needs of children in a particular way may foreclose alternatives.

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PART X

Understanding women, gender and public policy in Africa



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WOMEN IN POLICY-MAKING IN AFRICA

Emmanuel Botlhale

Introduction

One of the fundamental precepts of democracy is equality and, in this regard, 'democracy intrinsically requires that persons be treated equally as self-determining agents' (Post 2005, p. 142). However, according to Post, treating persons in a democracy does not entail the substantive equality often associated with distributive justice and fairness theories. Notably, this chapter takes issue with this sentiment because there is no way governments can treat population sub-groups equally without emphasising distributive justice and fairness because the two lie at the heart of democracy. Thus, this discussion is wedded to the ideal of political equality. Amongst others, political equality 'holds that political institutions ought to be arranged so that they distribute political standing equally to all citizens' (Wall 2007, p. 416). Democratic equality is the idea that one requirement of treating persons as equals is that all citizens ought to be treated as equal citizens (Navin 2011). The origins of democratic equality are traced to the writings of Jean-Jacques Rousseau (1762), the most notable and famous one being *On the Social Contract* or, *Principles of Political Rights*, even though the coinage 'democratic equality' came at a later stage. Rousseau argued that humans were moral equals – hence advocating for establishing a democratic political order characterised by, amongst others, fairness and equality. Democratic equality leads to notions such as equal citizenship. Equal citizenship is premised on the assumption that all human beings are essentially inherently equal and emerges beyond mere abstraction by reference to what it originally stood against (Rosenfeld 2012, p. 340). Vital to note, equal citizenship was in reaction to feudal hierarchy in the days of yore when the monarch (especially the King) was placed above his subjects. Accordingly, equal citizenship was designed to promote above all two kinds of equality: equality as opposed to (feudal) status and equality in terms of the citizen's right to self-government (as opposed to the subject's duty to submit to the will of the monarch) (Rosenfeld 2012, p. 340). Recently, Rawls' (1971) question of equality (including equal citizenship) was given impetus.

In accord with the ideal of equal citizenship, which lies at the heart of liberal democracies, men and women should be put on the same pedestal. Men and women ought to be in all respects equal concerning citizenship, and sexual orientation should have no bearing whatsoever on equal citizenship as homosexuals and heterosexuals ought to be treated the same (Rosenfeld 2012, p. 345). To be equal, citizens must have equal standing in civil society

(Gutmann 2003; Parry 1991, Rawls 1993; Spinner 1994). Citizens who are subtracted from the calculus of the political community are not equal (Spinner 1994; Young 1995). Most polities, particularly in patriarchal Africa, are that male and female citizens do not enjoy equal citizenship. Although formally equal, relations between citizens are characterised by many varied forms of inequality (Armstrong 2006).

Thus, the ideal of egalitarian and democratic citizenship is more honoured in the breach than in the observance. To borrow van Waas and Jaghai's (2018) assertion that 'all citizens are created equal, but some are more equal than others', men are more equal than women. Hence, women are treated as second-class citizens. Thus, second-class citizens who are denied political representation rarely participate in public policy-making processes.

Indivisibility of citizenship rights

Human rights are said to be 'indivisible, interdependent and interrelated' (Whelan 2007, p. ii) and, often, this is said concerning Civil and Political Rights (CPRs) and Economic, Social and Cultural Rights (ESCRs). However, this chapter piggybacks on the ethic of indivisibility, interdependence and interrelatedness by focusing on the indivisibility of citizenship rights. What is indivisibility? In common parlance, *indivisibility* means 'unable to be divided or separated' (Lexico 2020). As previously stated, indivisibility is often used regarding CPRs and ESCRs because both are human rights, so they cannot be divided. Specific to our case is the argument that citizenship rights are both human rights. Therefore, they should be equally enjoyed by all human beings regardless of sex. Thus, men and women are equal citizens. There are no separate and different citizenship rights for men on the one hand and women on the other. Thus, both must partake of these rights without undue favour to one party (men) and undue prejudice to the other (women).

Citizenship rights vary, including participation. That is, the right to participate in public affairs is inherently political. Therefore, those who wish to participate in policy-making must associate themselves with political apparatuses such as local councils, parliament and the cabinet. These are key policy-making instruments. Due to unequal gender relations, women practice limited citizenship rights in policy-making as instanced by their few numbers in local councils and parliament (EPD 2019).

The '*Women in politics: 2020 map*', a publication of the Inter-Parliamentary Union (IPU) and UN Women that present global rankings for women in executive, government and parliamentary positions as of 1 January 2020, provide a sobering reading. It is notable that 25 years after the Beijing Declaration and Platform for Action (2005), which set international targets for reaching gender balance in political decision-making, women are under-represented across all power levels (IPU and UN Women 2020). This scenario does not comport with tenets of democracy in general and equal citizenship in particular because it is imperative to ensure that women and men have the same opportunities to participate in policy-making. This is because equal representation lies at the core of democracy (IPU and UN Women 2020). Thus, the case for egalitarian policy-making is merited.

Theoretical justification for women's participation in the policy-making process

The policy process entails a series of interrelated processes that result in public policies. Its constituent elements are (a) problem emergence, (b) agenda-setting (c) consideration of policy options, (d) decision-making, (e) implementation and (f) evaluation. Crucial actors in

the policy-making process are divided into two policymakers: (i) official and (ii) unofficial (Anderson 1979). The two categories partake in the policy-making process. Official policymakers, being politicians and administrators (Anderson 1979), have the legal authority to engage in policy formulation.

Conversely, unofficial policymakers, for example, NGOs, academics and interest groups, do not have the legal mandate to engage in public policy formulation. They neither have appointive nor elected positions outside government structures but engage in the public policy-making process. This chapter is concerned with formal policy actors, women to be specific, and their role in the public policy space as primary policymakers or supplementary policymakers as per the formulation by Anderson (1979). There are several approaches to female participation in the decision-making process. Some of them are justice argument, experience argument, interest argument, symbolic argument, critical mass argument and democracy argument (Dahlerup 1978). These theoretical arguments are next summarised.

The *justice argument* claims that women have a right to half of the seats since they make up half of the population; the experience argument holds that women have different experiences, either biologically or socially constructed, that should be represented.

The *interest argument* grants that women and men have conflicting interests and that men rarely represent these interests; the symbolic argument says that every female politician acts a role model for all women, regardless of political views or party membership and will attract other women to the political arena.

The *critical mass* argument states that women can achieve solidarity of purpose to represent women's interests when they achieve certain levels of representation.

The *democracy argument* asserts that the equal representation of women and men enhances the democratisation of governance in both transitional and consolidated democracies (EMC 2014, pp. 7–8).

In addition, feminist theories provide another justification for equal representation. In particular, the theory argues that women are a distinctively different and homogeneous group that needs to be represented in the public policy-making arena by women is key (e.g. Swers 2002; Young 1989). Such women representation is in pursuit of what Young (1989) calls 'universal citizenship'. No matter what theoretical justification is employed, enhanced women representation is believed to spawn benefits at different levels. To illustrate, arguments supporting women's political participation to participate in the policy process are: ensuring fair representation of society in elected office; impacting the policy agenda and promoting a better understanding of gender equality issues in society (OSCE/ODIHR 2014).

Policy frameworks for gender equality and women empowerment

Public policy-making happens in the political arena, so women's participation in policy-making inescapably means the case for gender equality and women empowerment to enable them to participate. Issues of gender equality and women empowerment to help women participate in public decision-making have exercised the global community's conscience for decades. The unfavourable situation of women galvanised the global community to act in service of the women's cause, as sufficiently evidenced by the celebration of the first International Women's Day (IWD) in Europe on 19 March 1911, delegates agreed to promote equal rights. The creation of the UN Charter, which came into existence on 24 October 1945, led to international events and treaties promoting gender equality. In 1945, the UN adopted the UN Charter, which re-affirmed the sanctity of fundamental human rights to include equal rights of men and women.

The charter re-affirms the UN's family's 'faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and large and small nations' (UN 1945). Following the adoption of the UN Charter, the UN Commission on the Status of Women (CSW) was created in 1946. The CSW is the principal global intergovernmental body exclusively dedicated to promoting gender equality and women's empowerment (UN Women 2018). The Universal Declaration of Human Rights followed in 1948. Article 1 advocates for equal rights between men and women, stating that 'all human beings are born free and equal in dignity and rights'. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (UN 1948). A watershed moment for women's rights came on 18 December 1979 by adopting the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The CEDAW consists of 30 articles (OHCHR 1979), and it is often described as an international bill of rights for women.

All international events and treaties promoting gender equality and are too numerous to enumerate here. Notable ones are the International Covenant on Civil and Political Rights (adopted in 1966), Millennium Development Goals (adopted in 2000) and, latterly, Sustainable Development Goals (adopted in 2017). All international events and treaties promote gender equality.

Besides international events and treaties promoting gender equality, there are regional ones. Examples are Protocol on the Rights of Women in Africa (adopted in 2003 by the African Union); Solemn Declaration on Gender Equality in Africa (2004); AU Gender Policy (2009); AU Gender Strategy (2018–37); the 1994 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (the Convention of Belem DoPara); the 2011 European Convention on Preventing Violence against Women and Domestic Violence; and the Pacific Islands Forum Gender Equality Declaration of 2012. Regional bodies enforce gender conventions and treaties. Similarly, there are sub-regional gender instruments that are enforced by sub-regional bodies, for example, the Southern African Development Community.

In addition, the UN has held numerous international women conferences, as next illustrated. So far, the United Nations has organised four world conferences on women: Mexico City (in 1975), Copenhagen (in 1980), Nairobi (in 1985) and Beijing (in 1995) (UN Women 2020). The last women's conference was held in Beijing from 4 to 15 September 1995, and it came up with the Beijing Platform for Action (BPFA).

The BPFA has 12 critical areas of concern, including women in power and decision-making. The Beijing Declaration and Platform for Action is considered the most progressive blueprint for advancing women's rights (UN Women 2015). UN Women (2015 p. 2) says that it is 'a visionary agenda for women's empowerment'. The Beijing conference has been followed by a series of five-year reviews: 2005 (a ten-year review and appraisal of the BPFA), 2010 (15-year review of the BPFA), 2015 (20-year review and appraisal) and 2020 (25-year review and appraisal of the BPFA which took place in March 2020) (UN Women 2015).

The international, regional and sub-regional events and treaties, complemented by national gender equality laws, strategies and policies, enhance gender equality and women empowerment in policy-making. IPU's study, *Equality in Politics: A Survey of Women and Men in Parliaments*, concluded that 'some 90% of respondents to the survey agree that women bring different views, talents and perspectives to politics' (IPU 2008, p. 9). The concerns that women tend to prioritise include (i) social issues (childcare, equal pay, parental leave and pensions); (ii) physical concerns (reproductive rights, physical safety and gender-based violence); and (iii) development concerns (human development, poverty alleviation and service delivery) (IPU 2008).

The report remarkably noted that ‘when women are involved in all aspects of political life, including members of parliament, societies are more equitable and democracy is both strengthened and enhanced’ (IPU 2008, p. 2). The World Economic Forum (2017), in its *Gender Gap Report*, argues that women’s participation, aided and abetted by gender parity, begets macroeconomic outputs such as economic growth and development, global competitiveness and future readiness of economies. In a related vein, World Bank (2015, p. xii) argues that governments need the combined hands of men and women and that ‘unleashing the talent of women can bring powerful positive change and increases the likelihood of better outcomes for us all’.

Patriarchy and the inferiorisation and peripheralisation of women

Despite international events and treaties, sub-regional gender equality treaties and conventions, complemented by national gender equality laws and policies, gender equality and women participation in policy-making, is yet to be achieved (McKinsey Global Institute 2019; World Economic Forum 2017, 2020). There is the dual phenomenon of inferiorisation and peripheralisation of women globally. The inferiorisation and peripheralisation of women is a multi-causal phenomenon, but no cause is as pervasive as patriarchy. The word ‘patriarchy’, as derived from the Greek word *πατριάρχησι* (a father who rules over a family), has immediate connotations of power, family relations and social hierarchy (Pierik 2018, p. 8). Patriarchy also derives from the Greek word *Patria*, meaning father. Originally used to describe autocratic rule by a male head of a family, patriarchy further describes a more general social system in which power is secured in the hands of adult men (Ritzer and Ryan 2011, p. 441). Thus, ‘before feminist usage, patriarchy was mostly used to describe the authority of a father over the household and its members’ (Pierik 2018, p. 8).

However, with the advent of feminism, the concept has acquired a new and pejorative meaning. It is currently very firmly rooted in feminist thought (Beechey 1979) since the early years by Kate Millet (1970) through a book titled *Sexual Politics*. It has since been used within the women’s movement to analyse women’s oppression principles (Beechey 1979, p. 66). For Smith (1983, p. 312), patriarchy is ‘the totality of male domination and its pervasiveness on women’s lives’. Walby (1990) holds that patriarchy is a social system where men dominate, oppress and exploit women. At a macro-level, patriarchy is a social system in which men, amongst others, possess almost all leadership power and, thus, hold sway in political leadership (from the lowest to highest levels). Most importantly, patriarchy leads to gender inequality. Chauhan (2014, p. 133) argues that gender inequality is a direct result of patriarchy and that ‘minimal representation and limited access to resources affect the patriarchal control of men over women in the public sector’.

Women in policy-making in Africa

The participation of women in policy-making is not directly measurable. Therefore, an approximation can only be made through the use of proxy measures. In this regard, a useable proxy is the number of women in critical policy-making institutions such as local councils and parliaments. However, numbers are not a sufficient condition for meaningful participation in policy-making. If anything, numbers are a necessary condition in the sense that, first, women must be present, as instanced by numbers, in key policy-making institutions to participate in policy-making. Beyond numbers, it is the actual participation that matters (critical actors). Also, the policy-making institutions must be facilitative of women’s involvement. All

these three considerations, being numbers, participation proper and institutions, can be refracted through prisms of critical mass, critical actors and institutional perspectives theories.

Critical mass as a concept has roots in nuclear physics. Critical mass, in nuclear physics, is the minimum amount of a given fissile material necessary to achieve a self-sustaining fission chain reaction under stated conditions (Encyclopædia Britannica 2020). The concept has been exported to social science, mainly gender politics and collective political action, so this is employed in this chapter. It has synonyms such as boiling point, the percolation threshold and tipping point. For Oliver (2013), critical mass theory in social movements refers loosely to any formal theory about how interdependent decisions accumulate into collective action or, more narrowly, work in the tradition of Marwell and Oliver (1993).

Social movement activists and scholars often use ‘critical mass’ in a loose metaphorical way to refer to an initial group of protesters or actors big enough to accomplish social change (Oliver 2013, p. 2). Collective action usually depends on a ‘critical mass’ that behaves differently from typical group members (Marwell *et al.* 1985, p. 522). Therefore, the actions of a critical group can bring about favourable outcomes that can benefit the whole group. The critical mass theory is used in women political representation (e.g. see Childs and Krook 2008). In gender politics and collective political action, the critical mass is the number of persons necessary to actualise significant policy change. Dahlerup (2006) holds that a critical mass is reached at 30%. Specific to women representation, this means that women must constitute at least 30% of the total to effect significant policy change. Studies show that it takes a certain minimum representation, for example, 30%, before the minority, here women, can make a substantial difference in politics (Dahlerup 2006, p. 511).

The 30% threshold has led to gender quotas for women’s political representation as the Southern African Development Community (SADC) did in 2007. SADC Heads of State and Government also signed the SADC Declaration on Gender and Development in September 1997. In part, it provides that the body will ensure the equal representation of women and men in the decision-making of member states and SADC structures at all levels, and the achievement of ‘at least 30% target of women in political and decision-making structures by the year 2005’ (SADC 1997). Fifteen years later, 2005–20, SADC members are yet to reach the 30% threshold. Similar instruments in Africa are girded in the 30% critical mass threshold. Concerning representation, and steeped in the 30% critical mass threshold tradition, sub-Saharan Africa is and only does better than Asia, Middle East and Pacific sub-regions as shown in Table 43.1.

It is deducible from Table 43.1 that except for the Americas and Europe, all the five sub-regions fall short of attaining the 30% critical mass threshold. In this regard, out of the

Table 43.1 Global and regional averages of women in national parliaments as of 1 October 2020

<i>Averages</i>			
<i>Region</i>	<i>Lower chamber and unicameral</i>	<i>Upper chamber</i>	<i>All chambers</i>
Americas	31.8	32.9	32
Europe	30.3	29.2	30.1
Sub-Saharan Africa	24.8	23.9	24.7
Asia	20.6	18.7	20.4
Middle East	17.5	9.9	16.5
Pacific	16.8	44.9	19.7

Source: IPU (2020a).

top ten countries regarding women's participation in single and lower houses of parliament, 1995–2020, only three African countries have made it to the list: Seychelles at 27.3% in 1995 and Rwanda and South Africa at 61.3% and 46.4% respectively in 2020 (IPU 2020b). Rwanda has long been the world leader in terms of women's representation in parliament, and it remains the only country to have achieved more than 60% of seats held by women (IPU 2020a, p. 9). With 67.5% women representation, Rwanda is the world's gender equality champion (Clerici and Hamelin 2019).

There is heterogeneity within sub-Saharan Africa regarding women representation; some are doing well, while others are not (Mbaku 2020; UNECA 2019). There is substantial variation across Africa; Southern Africa is close to attaining a 33% representation threshold, and West Africa, on average, lags substantially behind other sub-regions (UNECA 2019, p. 2). For instance, as of January 2019, sub-regional overview of female representation in African parliaments (as a percentage) stood at central (17.5%), eastern (28.4%), north (22.5%), southern (29.9%) and west (14.4%) (UNECA 2019). Legislated gender quotas make a difference even though the facility does not beget the 33% threshold. Most sub-Saharan African countries that have achieved a high level of women's representation have done so through quotas (IPU 2020b, p. 10). In 33 countries with some form of quota system (legislated candidate quota, reserved seats or voluntary party quotas), female representation in parliament is 25% compared to 13% for those without (Mbaku 2020, p. 25). Thus, gender quotas democratise representation.

In a related vein, the Global Gender Gap Report indicates women representation in key policy-making bodies. As per the *Global Gender Gap Report 2020*, the largest gender disparity is the political empowerment gap.

Regarding the Political Empowerment sub-index, the score was 25%, meaning that there is a gap of 75%. The report is most instructive, stating that 'political empowerment is the area where women are severely underrepresented' (World Economic Forum 2020, p. 10). Composite measures are the McKinsey Global Institute's *Gender Parity Score report* and the Ibrahim Index of African Governance. As per the 2019 McKinsey Global Institute's Gender Parity Score report, 'Africa lags behind other regions on progress towards gender equality in society' (McKinsey Global Institute 2019, p. 23). The Ibrahim Index of African Governance report notes that while African countries are granting women civil liberties, including participation in political discussion and civil society organisations, 'progress is less obvious when it comes to representation in politics' (Mo Ibrahim Foundation 2020, p. 37). It further states that they fare poorly in representation and that 'this, in particular, applies to women's representation in parliament which on average is less inclusive than women's representation at ministerial and cabinet-level' (Mo Ibrahim Foundation 2020, p. 37).

There is a need to discuss factors contributing to women underrepresentation in the public arena, hence encumbering their participation in the policy-making process. Notably, many and varied factors are responsible for this state of affairs (e.g. EMC 2014). Women's political involvement, participation and access to formal political power structures are linked to many different structural and functional constraints which differ across countries (EMC 2014, p. 8). Also, the critical actors and institutional perspectives theories are critical to understanding women's women underrepresentation in public space. Beyond numbers, the critical actors' theory states that the actions of critical actors are essential (e.g. Kitchen 2015).

Recent theory-building on the substantive representation of women (SRW) in parliamentary settings contends that in addition to traditional concerns about achieving a 'critical mass' of women, scholars need to question who the 'critical actors' are (Chaney 2012, p. 441). Amongst others, the masculine nature of African politics means that women are burdened

from acting as critical actors. Lastly, the institutional perspectives theory holds that institutions have rules, structures, practices and procedures that regulate social behaviour (e.g. Scott 2004). These factors can either enable or disable women representatives. Similarly, the masculinised nature of policy-making bodies in Africa has very negative implications for women's representation.

Recommendations

It is readily deducible from a literature review that there is a universal acknowledgement of the utility of women's participation in public affairs, including participation in public policy-making. Despite this universal acknowledgement, women's participation in public affairs is still a challenge, particularly in the Global South. Hence, this chapter proposes some policy recommendations to further this cause.

Commitment to women's participation: African governments are party to many international gender equality treaties to advance the cause of women's participation in public affairs. Unfortunately, most of these governments are tall on the ratification of gender treaties but unbelievably short on the domestication of these instruments. The development unmistakably bespeaks their poor commitment to the ideal of women's participation in public affairs such as policy-making. Therefore, there is a need to do the needful by domesticating gender equality instruments by mainstreaming them into local laws. Beyond domestication, there is a need to have a monitoring tool accompanied by monitoring indicators at input, output, outcome and impact levels.

Enhanced women's political recruitment: the political recruitment of women begins at the primary elections level, so political parties must be proactive by recruiting women into elective positions. The current situation is a masculinised political system that makes it difficult to recruit women into elective positions. Thus, women must be supported in primary elections so that they pass the first hurdle. After winning primary elections, they must be assisted to surmount the last hurdle – winning elections.

Demasculinisation of politics: due to the nature of African societies characterised by deep pockets of patriarchy, politics is masculinised. It is, therefore, men's business. This, therefore, means that the political landscape is not accepting of women. In the main, women are regarded as meddling busybodies and vexatious in the political arena. Much as it is challenging to root out patriarchy, efforts must be made to demasculinise politics to enable women to participate in the political process.

Women's support for other women: as much as women receive unfair treatment from men, it is very ironic that some women are not keen to support their own. It is a fact that women outnumber men in political parties, but they fail to use their numerical strength to vote women into leadership positions. In fact, in Botswana, some women favour male candidates over females. Thus, they would vote for a male candidate if a man and woman competed for an elective position. Therefore, women must, using their numerical strength, support one another.

Effective women's wings: every political party in Africa has a women's wing to further women's issues. Unfortunately, some women's wings suffer from poor organisation and inertia, thus weak rallying points for women. Also, others suffer from capture by male party members. It is not an unusual occurrence for male politicians to control women's wings to the point of surreptitiously sponsoring their favoured candidates for women's wings' elections. Thus, women's wings become extensions of the male-dominated Central

Committees (National Executive Committees). So, there is a need to have women's wings to be better organised, have a clear vision, and not be captured by the male-dominated Central Committees (National Executive Committees). Simultaneously, they must work hand in hand with non-partisan women's organisations and NGOs to assist women in attaining leadership positions at local and national levels.

Conclusion

One of the fundamental precepts of democracy is inclusivity. Therefore, no country can believably claim to be a genuine democracy if it presents pockets of exclusion. Inclusivity consists of many facets, and one such facet is equal participation in public affairs such as policy-making. Due to various reasons, mainly patriarchy that leads to gender inequality, women do not equally participate in public affairs. In conformity with international practices, African states are parties to international, regional and sub-regional gender instruments to advance the cause of gender equality. In addition, they have passed laws that complement international, regional and sub-regional policy instruments to promote gender equality. Still, gender inequality is an enduring problem in Africa. There is an imperative need to reconfigure the architecture of gender relations in Africa to put men and women on the same pedestal. Finally, there should be a commitment to women's political recruitment, demasculinisation of politics, women's support for other women and effective women's wings.

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GENDER MAINSTREAMING IN AFRICA

Local translations and institutional challenges in Ghana, Malawi and South Africa

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Introduction

The introduction of gender mainstreaming (GM) with the Nairobi Forward-looking Strategies in 1985 and the Beijing Platform for Action in 1995 was widely seen by actors at the national and international levels as the global strategy for bringing the issue of gender inequality into the centre of mainstream policymaking (Madsen 2012). Different approaches to gender mainstreaming co-exist – the integrationist, the agenda-setting and diversity mainstreaming. *The integrationist approach* builds gender into the existing policy agenda, but with no transformation as a result. In contrast, *the agenda-setting approach* implies a transformation of the policy agenda through the participation of women in decision-making processes (Jahan 1995). *Diversity mainstreaming* is an approach based on the inclusion of other intersecting categories like age, class, ethnicity, sexuality, etc. It is based on a critique of the two former approaches that the integrationist approach is technocratic and based on professional gender expertise only, leading to a depoliticisation of gender mainstreaming. Conversely, the agenda-setting approach is freezing women's identities by neglecting aspects other than their gender (Squires 2005).

The three-country contexts were selected because they have made strong commitments to gender mainstreaming internationally, regionally and nationally. Similarly, they are above the Africa average on the Mo Ibrahim Index on governance 2020, with Ghana scoring 68.1, South Africa 68 and Malawi 55.8. However, differences also exist between the countries. For example, as Ghana and Malawi rank respectively 107 and 116 in the Global Gender Gap Report from 2020, South Africa ranks much higher, i.e. 17. Similarly, they are categorised differently in the human development index, with South Africa placed in the high human development category at number 113, Ghana in the medium human development category at number 142 and Malawi in the low human development category at number 172 (UNDP Human Development Report 2019). Therefore, it is essential to question how levels of human development may pattern or affect the translation of gender mainstreaming policies into practice across Africa.

Slippages of gender mainstreaming

The literature on GM focuses on its failures rather than successes indicating that the strategy is widely contested. GM is a catch-all term and has been labelled 'a slippery affair' (Morley 2010, p. 534) and characterised by evaporation through the patriarchal cooking pot' (Longwe 1997, p. 63). The first slippages are the framing of 'gender' itself and the power vested in the language translations in different contexts. In practice, GM discourses have equated 'gender' with 'women' in a generalised and homogenised plural, not considering the differences among women in the global South. With its focus on 'gender'/'women', GM discourses are not including questions of men and masculinities and failing to address the patriarchal norms and practices within institutions (re)producing sexism working against any mainstreaming of gender (Joseph 2011). GM discourses also mirror unequal power structures between the Global North and South as understandings of 'gender' in the global south emphasise framings of 'complementarity' and 'difference' in a heteronormative context challenging the norm of 'gender equality' and 'sameness' originating in the global North. Following the unequal power structures between the global North and South and related economic dependency of donors, GM discourses are (ab)used as a weapon in neo-colonial practices to promote 'gender equality' and the 'right' understandings of GM as a part of a civilizing mission of saving black women from black men (see Spivak 1988).

The second slippage is the delinking of GM from feminist thinking and activism or a 'neutralization of feminism' (Morley 2010, p. 534) and thereby a loss of its initial political edge. Scholars (e.g. Manicom 2001) mention how GM with the co-optation of the agenda by bureaucracies has rather become a technology of governance and become associated with a gender industry promoting gender assessments, gender audits, gender checklists, gender manuals, etc. Therefore, gender transformation is perceived as a quick fix that can be achieved by ticking off a box contrary to evidence that gender transformation requires long-term commitment and 'flexibility, patience and determination' (Madsen 2016, p. 14 citing Parpart 2014).

The third slippage is the association of GM with the representation of women instead of a focus on gender just policies. That is, '[a]ddressing gender is increasingly understood in terms of numbers of women and women's units within the formal government' (Manicom 2001, p. 11). Thus, integrating women into state structures brings about the needed gender transformation as women, in terms of their gender per se, are perceived to be the catalyst of change within the (often) masculinist bureaucratic institutions. The three slippages challenge whether GM in its present form has changed the mainstream in the right gendered direction or if it is instead gender policies, which have changed (Morley 2010).

The impetus for gender mainstreaming in Africa

Like the adoption of women's rights protocols and policy instruments, regional developments in Africa have provided some impetus to gender equality and provided frameworks that national governments can pursue to firmly ground their mainstreaming work (UN Economic and Social Council 2013). Of note is the AU Solemn Declaration on Gender Equality in Africa (SDGEA) in 2004. The Declaration is important because it strengthens African ownership of the gender equality agenda and keeps the issues alive at the highest political level in Africa. The SDGEA includes a commitment by countries to report annually on progress towards gender equality and gender mainstreaming at the national and regional levels. The Protocol to the African Charter on Human and People's Rights on the Rights

of Women in Africa (Maputo Protocol) is another gender equality instrument established by the African Union (AU) in 2005. In October 2010, the AU launched the African Women's Decade to advance gender equality by accelerating Dakar, Beijing and AU Assembly Decisions on Gender Equality and Women's Empowerment. Similarly, regional gender frameworks for SADC and ECOWAS are important.

These developments signal a stronger commitment by the AU Member States to strengthen their positions in advancing the gender equality agenda. National machinery, institutional mechanisms or policy agencies are essential venues for implementing gender-equality policies. The UN Development Plan best practices recommend that each government ministry be responsible for gender mainstreaming through a gender desk or focal point (True 2003, p. 372). The design of machinery is therefore very important. Machinery can be lone standing offices, like the Office of the Status of Gender, a Gender Ministry or an integrated set of structures that work in tandem with a quota of women in parliament or lend support at the executive. Gender Ministries are often suspect, especially in the African context, because they are viewed as ghettoising women's issues in one place, which in reality undermines gender mainstreaming.

The chapter addresses questions such as the following: How has gender mainstreaming been shaped in Ghana, Malawi and South Africa? Have the institutional frameworks in place in the three country contexts facilitated the translation of gender mainstreaming? What has the role of the women's organisations been in gender mainstreaming? And what are the main similarities and differences in gender mainstreaming among the three-country contexts?

Uneven translations and weak gender machineries: gender mainstreaming in Ghana, Malawi and South Africa

Ghana, Malawi and South Africa have formally committed to international and African regional frameworks for gender mainstreaming, namely, the Nairobi Forward-looking Strategies (1985), the Beijing Declaration and Platform for Action (1995), the African Union Solemn Declaration on Gender Equality in Africa (2004) and the African Charter on Human and People's Rights on the Rights of Women in Africa (2005). Furthermore, Malawi and South Africa adopted the SADC Protocol on Gender and Development 2008. Ghana relates to the ECOWAS 2004 Gender Policy besides adopting the 2015 Supplementary Act on Equal Rights between Women and Men for Sustainable Development in the Community. However, there are illustrations of uneven translations of GM policies into practice across these contexts, leaving something to be desired.

Case 1: *Ghana*

The Ghanaian's 2004 National Gender and Children Policy states that 'The goal of the policy is to mainstream gender and children's concerns in the national development processes' (MOWAC 2004, p. 2). This involves ensuring that gender concerns are routinely addressed in planning activities, implementation, monitoring and evaluation of programme activities at national, regional and local levels. Similarly, the 2015 National Gender Policy emphasises the focus on GM with the subtitle 'Mainstreaming gender equality and women's empowerment into Ghana's development efforts' (MOGCSP 2015, p. ix). Thus, GM is portrayed as a means to another end – namely 'development' in line with the thinking of 'gender' and 'gender mainstreaming as part of a modernisation project instead of gender justice as an end in itself.

The Ghanaian national gender machinery has spearheaded efforts on gender mainstreaming. However, the latter has been used for political gender profiling rather than for developing effective machinery. The National Council of Women and Development (NCWD) was established in 1975 at the beginning of the UN decade for Women and in relation to a UN resolution. The international orientation of the NCWD was illustrated by the fact that it was placed in the Ministry of Foreign Affairs. The NCWD has a turbulent history. First, it has been characterised by instability. It has been placed in five different locations before establishing a ministry in its own right in 2001. Second, it has suffered from capture by the 31 December Women's Movement (31 DWM) led by the then First Lady Nana Konadu Agyeman-Rawlings during the Rawlings era (1981–2000), which was in reality more of a women's wing of government than a grassroots women's movements (Prah 2005), and hampered NCWD in setting its own agenda (Madsen 2010). In 2001 with the shifting of power to the New Patriotic Party (NPP), a Ministry of Women and Children was established and changed to the Ministry of Gender, Children and Social Protection in 2013 during the ruling of the National Democratic Congress (NDC).

The lumping together of 'gender' with children and social issues in the national gender machinery is working against the notion of mainstreaming and not grasping the notion of 'gender', which is not limited to care issues (only). Besides, placing 'gender' in a spending ministry that focuses on marginalised groups runs the risk of 'gender' drowning in competition, with other concerns underlined by the fact that most of the resources of MOGCSP are used generally for 'social protection'. Generally, the MOGCSP is characterised by an all-inclusive mandate, a long to-do list, underfunding and relate to staffing hampering the translation of gender mainstreaming into practise in Ghana. This has been worsened by the donor withdrawal in Ghana attendant to its middle-income status and the focus on 'Ghana beyond aid'. MOGCSP has largely been funded by external donors, and the current health pandemic requiring the allocation of resources to social protection measures.

Moreover, GM often leads to bureaucratisation. Consequently, the main initiative has been setting up gender focal points in the ministries and other government agencies.¹ This ensures that GM's responsibility is based somewhere to avoid it becoming everybody's job and nobody's responsibility (Tiessen 2007). Madsen (2010, 2012) demonstrates that at the time of the research in 2010/2012 only half of the ministries had set up gender focal points. Even though the initiative is based on a follow-up from the 1995 Beijing conference as a proposal was submitted to the (then) NDC regime (1981–2000) from NCWD on affirmative action and gender mainstreaming to establish a more clear-cut administrative framework (Madsen 2010). Only a handful of the gender focal points could influence policymaking in senior positions and could be related to actual decision-making, such as negotiating for a budget for gender training or gender knowledge resources and tools. The explanations provided for not having gender focal points in place were that gender should be dealt with by the national gender machinery, implying a ghettoisation of gender issues. The minister of the sector ministry in question was a woman suggesting that representation related to gender is a women-only thing. Thus, 'adding women and stir' was presumed to ensure gender mainstreaming.

Furthermore, there were arguments about the lack of economic resources for gender focal points and the 'newness' of some of the ministries. However, since then, gender focal points were created in almost all ministries. Some guidelines developed for their work and training activities ensure 'capacity-building' at the national level. Still, 'capacity-building' may also be needed for other actors at the central level. It is a big burden to place on these female gender focal points to address gender inequalities and promote mainstreaming within the masculinist state structures.

Other studies (e.g. Apusigah 2007) also point to pitfalls in translating gender mainstreaming into practice in Ghana. Despite the drafting of policy frameworks and attendant structures at the national level, ‘the inability to move beyond these levels poses a serious challenge to the gender mainstreaming agenda’ (Apusigah 2007, p. 7) and that ‘budgetary constraints and weak institutional capacity undermined the effectiveness of gender mainstreaming in Ghana’ (Ayetimi et al. 2020, p. 74). The 2015 National Gender Policy also mentions challenges to gender equality and women’s empowerment and the “‘weak gender mainstreaming coordinating role’” due to “‘budgetary and capacity constraints’” (MOGCSP 2015, p. 16). Thus, there is a need for ‘getting the institutions right for gender mainstreaming’ (Madsen 2010 title) and high-level feminist leadership in the national government to upgrade at the central level and place gender at the mainstream of national governance.

An example of gender mainstreaming (or rather women) in Ghana is higher education. Morley (2010, p. 542) demonstrates how an initiative to integrate more women into traditionally male-dominated topics at the university hardly addressed the patriarchal culture in higher education as women were assigned ‘minority status and the accompanying uncomfortable visibility’ They were also typecast in stereotypical ways by most male students as prostitutes engaging in transactional sex for grades implying that sexual harassment persisted and downplaying the professional capacities of women. In short, the initiative did not address the gender power relations at the micro-level in higher education institutions. It was limited to focus on increasing the numbers of women (only) (Morley 2010).

The women’s organisations in Ghana have been critical of the shape of gender mainstreaming and its bureaucratic orientation, focusing on the state level, indicating that it does not reach a grassroots level where many of them are operating and that it has redirected resources away from their initiatives. Instead, gender mainstreaming has become a more technocratic business far away from the activism and engagement of ordinary Ghanaian women’s concerns. They have organised themselves in coalitions like the Domestic Violence Coalition, Netrights, the Women’s Manifesto Coalition and the Affirmative Action Coalition to promote feminist political leadership. It is telling that the Women’s Manifesto developed in 2004 as a result of a countrywide inclusive process inspired by the Beijing Platform for Action (updated in 2016) does not mention gender mainstreaming. However, it has a section on the national institutional gender mechanisms.

Case 2: Malawi

The National Gender Policy is a key policy for mainstreaming gender as a strategy for gender equality in the national development process (Malawi Government 2015). The Gender Equality Act of 2013 epitomises Malawi’s commitment to gender equality. In particular, section 11 of the Act provides for gender quotas by requiring no less than 40% and no more than 60% of either gender in any department in the public service (Malawi Government 2013). However, despite Malawi’s progressive local legislative commitments to gender equality and mainstreaming, the third Malawi Growth and Development Strategy (2017–22) notes limited success with gender mainstreaming in addressing structural gender inequalities (Malawi Government 2017, p. 57). Also, the Malawi gender mainstreaming guidelines (2007) indicated that despite commitments made at national and international levels, there are still gender disparities in all areas of socio-economic development. Indeed, the implementation of the first-generation National Gender Policy (2000–05) had several challenges.

The Malawian institutional framework for gender mainstreaming identifies the Ministry of Gender, Children, Disability and Social Welfare (MoGCDSW) as the lead agency

and policy holder. The mandate of the MoGCDSW is to coordinate national efforts for gender mainstreaming at all levels and organisations in the public sector and to promote gender equality and protect the welfare of Malawian women, men, girls and boys to become self-reliant and active participants and beneficiaries of the national development agenda (Malawi Government 2015). The MoGCDSW should also orient all stakeholders in gender analysis and mainstreaming and provide the necessary skills in the implementation of the mainstreaming guidelines; promote the creation of gender focal point persons monitor implementation of the guidelines in the public sector (Government of Malawi 2007). Other institutions, namely, the Department of Economic Planning and Development (EP&D), the Department of Human Resource Management (DHRMD), the Office of the President and Cabinet (OPC) and line ministries, are also part of an implementation framework.

However, the MoGCDSW demonstrates a lack of institutional capacity to implement gender mainstreaming and gender transformation in the public service effectively. This partly relates to the challenges in the internal functioning of the ministry itself. The MoGCDSW has three technical departments: Gender Affairs, Social Welfare, and Community Development supported by the Planning and Research and Administration. The departments operate in silos and are not well coordinated to effectively carry out the gender mainstreaming function. Internally, gender mainstreaming is perceived as the exclusive mandate of the gender department. The gender department is poorly staffed and headed by an officer who is not as senior as the other departments and therefore has limited influence within the ministry's decision-making process.

Consequently, gender mainstreaming is not given adequate attention within the MoGCDSW and beyond the gender department. Therefore, the inclusion of other entities to support the MoGCDSW in gender mainstreaming is plagued by coordination problems and limited joint planning. Consequently, the MoGCDSW as a policyholder can hardly create an enabling environment for gender mainstreaming both within and outside the ministry. Besides a few ministries with specific gender departments, the deployment of gender focal point persons in the ministries, departments and agencies is the main functional mechanism identified by the Ministry of Gender, Children and Social Protection's National Gender Policy (2015) for gender mainstreaming. However, this has not been well synchronised to facilitate effective gender mainstreaming in Malawi. Also, the MoGCDSW does not appoint the focal points but can only request and guide government institutions to appoint a gender focal point from within.

The MoGCDSW prefers gender focal point persons to be at deputy director and above because their authority is critical in creating an enabling environment for gender mainstreaming. In practice, most public institutions usually appoint junior women who are not in decision-making positions. Further, the gender focal point position is not officially sanctioned in the public service structures. Therefore, the officers have little authority and are contingent on the goodwill of senior officers. The leadership of most institutions is not gender-sensitive, and therefore often fails to appreciate the focal persons' requests for giving attention to gender issues.

The importance of senior management in developing an enabling environment for sustaining gender-mainstreaming initiatives has been highlighted by the UN Commission on the Status of Women and several African case studies (e.g. Kwesiga 2018). The gender focal points are also not directly answerable to the MoGCDSW. Thus, it is difficult for the ministry to influence what the gender focal point persons do in their respective ministries and departments. Many of them were placed and are guided by the Department of Human Resources Management and Development. Their focus is mainly on HRMD issues with more

emphasis on equity aspects of gender equality. This has narrowed down the mainstreaming agenda to placing women in decision-making positions, yet the concept of gender mainstreaming laid out in the National Gender Policy goes beyond numbers.

There are also high attrition rates and gender-mainstreaming capacity challenges with the gender focal point persons. Many of them hold a variety of degrees not directly linked to gender. Since 2016, only one gender training was done in May 2019. The capacity of gender focal persons is better in the district. They are well qualified, have a clear mandate and have clearly defined positions within the local government system. However, the main challenge they face at the district level is limited resources to implement their work plans.

Financial resources are important in creating an enabling environment for successful gender mainstreaming (Bangani and Vyas-Doorgapersad 2020). In Malawi, the apparent political commitment by the government evident in the ratification of international instruments and passage of local gender laws is not reflected in the amount of funds officially allocated to the MoGCDSW within the national annual budget. The MoGCDSW is the most underfunded, mostly receiving less than 1% of the total national budget (UN Women 2015). This indicates lip service and points to the limited political will of the national leadership in driving an agenda for gender policy implementation. Without political will, gender mainstreaming would be ineffective. Departmental allocations within the MoGCDSW's budget also show that spending priority is towards social welfare services and administrative expenses and less on gender mainstreaming.

For example, in the 2018/19 ministry's budget, there was no specific mention of gender and women empowerment and any indication that the budget itself was engendered (UNDP 2018). Instead, many of the gender-mainstreaming activities are driven by other actors, specifically donors and non-governmental organisations (NGOs). This external support has been systematically related to the ministry's strategic plan, but it is usually ad hoc and project-based, driven by the donor strategies and agendas. In effect, the donors do 'cherry-picking' of the gender mainstreaming strategies and plans laid out, e.g. some of the donors have spearheaded the development of gender mainstreaming guidelines while others have supported initiatives to popularise gender budgeting by developing manuals and conducting workshops. Although gender-responsive budgeting is hardly undertaken, the framework for gender budgeting does not exist within the country's budgeting processes. Therefore, there has been a growing perception that the MoGCDSW operates as a project implementation unit of donors and NGOs and their failure to strike a balance between managing government planned activities and donor-funded projects (Chasukwa 2016, p. 89). Hence, more 'shaping' is needed from the government in translating international and regional instruments into practice. The role of the donors and other non-state actors is not hindering the gender-mainstreaming agenda by the ministry.

Case 3: South Africa

There is a close relationship between gender mainstreaming and the institutional framework for its implementation in South Africa. We cannot understand the success and failures of gender mainstreaming without understanding the history of the development of the National Gender Machinery (NGM). The South African gender mainstreaming policy was developed by the Office of the Status of Women, located in the Office of the President, to mainstream gender in the state. This policy is embedded in a very lengthy but comprehensive document, titled 'South Africa's National Policy Framework for Women's Empowerment and Gender Equality'. It expresses the scope of the policy as applying to all government departments,

provincial administrations, local structures, parastatals and other public entities (National Gender Policy Framework 2000, p. 5), and on the shape of an NGM as follows:

National machinery for women's empowerment and gender equality refers to a set of coordinated structures within and outside government that aim to achieve equality for women in all spheres of life: political, civil, social, economic and cultural. The central issues at the heart of the National Machinery are those of location, goals and objectives [spread throughout the state].

(p. 26)

This acceptance of a package of structures in the state stemmed from feminist academics, feminist activists and women's organisations during the democratic transition process (Hassim 2003). These groups later formed the Women's National Coalition that was very important for setting the gender agenda in South Africa's political transition. It was thought that structures filled with femocrats (feminists who work in the state) would lessen the possibility of concentrating women's issues in a single structure that could easily be dismissed as unimportant or redundant to mainstream policies, as often happen with women's ministries.

It would also ensure that gender mainstreaming happens at all levels of the state. The structures that were eventually accepted and institutionalised were spread throughout the state, from the apex structure, the Office of the Status of Women located in the Office of the President, the Women's Empowerment Unit (to train new women members of parliament) located in the Office of the Speaker, a multi-party caucus in parliament, gender desks in all state departments and the autonomous constitutional body, the Commission for Gender Equality, framed in legislation as an oversight body that would monitor the state (Gouws 2006). The most important structure was the Joint Monitoring Committee on the Improvement of the Quality of Life and the Status of Women (JMC).

The importance of the JMC was its monitoring role to all the other portfolio committees (28 at the time). Its success in keeping the feminist agenda alive was the consequence of a committed feminist chair. The main functions of portfolio committees are to do oversight over the executive, engaging in and drafting legislation, and considering international treaties and agreements.

Against the collective decision of feminist activists and women's organisations during the democratic transition against the acceptance of a women's ministry, the ANC approved the proposal of a ministry for women at its 52nd National Conference in 2007, without any consultation with women's organisations (the WNC was defunct by this time) or feminist activists. This initiative of the ANC Women's League became a conservative nationalist organisation after the ANC came to power, acting as a gatekeeper for the party (see Hassim 2014). In May 2009, the Office of the Status of Women and other similar offices responsible for children and people with disabilities in the presidency was replaced by the Ministry for Women, Children and People with Disabilities (DWCPD) that lumped women, children and the disabled together. The purpose of the new Ministry was to assume the role of driving the government's equity, equality and empowerment agenda, including that of gender mainstreaming (Parliamentary Monitoring Group 2013). The Department is viewed as the principal coordinating structure of the NGM (most structures are by now dismantled) within government and is mandated by the President to 'champion' "the achievement of women's socio-economic empowerment and women's rights" (GCIS Media Statement, 25 May 2014). In 2012 the Ministry reached only 14% of its performance targets, and in 2014 it achieved none of its targets (Vetten 2013), contributing to the failure of gender mainstreaming in the state.

The gender policy framework views the gender desks or gender focal points as very important in the implementation of gender mainstreaming and therefore recommended that these structures be created at the necessary level of authority, including in the Director-General of each state department. Gender desks were never located on this level of seniority. The positions are usually filled by young inexperienced focal people who cannot instruct Director-General on what to do. Ramparsad (2019) shows that an enabling environment and political leadership are vital for implementing any policy and specifically for gender mainstreaming. Nearby are two dimensions for implementing a significantly important policy – first, that of the individual who assumes responsibility for the policy initiative. Second, the institutional dimension concerned with decisions regarding the organisation.

Evaluating the Gender Mainstreaming Project (GMP) and the eight-point principle plan for gender mainstreaming in the Department of Public Service and Administration is key because it streamlines services in other state departments. Its assessment of the implementation of the GMP and the eight-point principle plan that target senior managers to mainstream gender in policy shows that resistance to gender transformation and the lack of political will are two of the main obstacles to gender mainstreaming. Environments are not gender-neutral, and bureaucrats have vested interests in keeping the status quo. It seems that most departments are merely interested in compliance reporting (filling in checklists and tick boxes to show that something was done). Implementers showed limited interest in skill training around gender mainstreaming. Karlsson (2010) also notes the lack of interest in gender mainstreaming in a provincial department and the lack of resources for implementation.

The role of donors is also highly politicised because they are more interested in satisfying their national governments than the agendas of aid recipients. For example, the Canadian International Development Agency (CIDA) acted as ‘player and referee’ but did not understand, for example, that a different department than that of the Department of Women was responsible for the implementation of some of the recommendations (Ramparsad 2019, p. 4). The lack of political leadership by the Women’s Ministry and the Commission for Gender Equality was also criticised. Therefore, public policy implementation cannot be separated from political dynamics that may or may not create an enabling environment. When senior managers and the DWCPD do not support policy implementation, there are slim chances of policy success.

Mannell (2012, p. 425) shows that GM is considered a “bad” word in South Africa because it is associated with ‘technicalisation’ rather than organisational change. In interviews with implementers of gender mainstreaming, a clear frustration was raised that went beyond its failure in government to its very conceptual foundations. There are three main reasons why gender mainstreaming is considered a failure: (1) many actors think that it means you do not have to do anything – it did not lead to deeper gender awareness but rather draws the focus away from gender inequalities. (2) It dilutes the focus on women to include men and divert resources meant for women to men and lose sight of power relations between men and women. (3) The focus on gender often precludes other intersectional identities like race and class, which are very important given the South African apartheid history. Mannell (2012) shows that a tailored approach to institutional cultures is important. There is no ‘one size fits all’ approach to gender mainstreaming.

Moreover, Trunette Joseph et al. (2011) confirm that gender mainstreaming has largely become a technocratic, depoliticised integrationist process that does not deliver or advance gender equality. From this research, an agenda-setting approach is more transformation of institutional culture, while an integrationist approach only leads to the introduction of gender mainstreaming but is not effective as a policy practice (Joseph et al. 2011). An agenda-setting approach impacts decision-making structures and processes and aims to reorient

them (Lombardo 2005). Any attempt at success with gender mainstreaming will involve changing the deep structure of the organisation's institutional cultures. These involve the collective values, history, culture and practices that inform the 'normal way' of doing things in organisations (Rao in Joseph et al. 2011).

In sum, gender mainstreaming in South Africa also lacks an enabling environment for successful implementation because of institutional culture. Again, senior managers and politicians lack the goodwill to implement gender mainstreaming. Besides, the DWCPD (in all its incarnations) failed to drive the process of implementation. Following the weakness of the women's movement after 1994, it is difficult to keep the government to account and set a feminist agenda that will enable gender mainstreaming.

Conclusion

The three countries show that the translation of gender mainstreaming is challenging when the right institutional structures either lack the political will/leadership or loosely coupled to structures where joint planning and oversight occur. Gender focal points are supposed to play a central role in translation into practice. Yet, in Ghana, Malawi and South Africa, they are hardly granted appropriate authority to instruct senior managers on gender-mainstreaming policies. Similarly, where gender mainstreaming was relatively better implemented, it produced greater bureaucratisation that enhances technocratic processes concerned with compliance reporting rather than decreasing gender inequality. Again, the needed resources have often been lacking in all cases. Despite ranking higher in its gender gap report and its human development index and relatively more resources than Malawi or Ghana, South Africa hardly fares better in gender mainstreaming. Moreover, donor agendas tend to be politicised and transcends the needs expressed by women citizens or women's organisations. Therefore, gender mainstreaming does not address the deep-rooted gender inequalities and unequal power relations in institutional cultures but rather frustrates implementation processes.

Previously mentioned slippages of gender mainstreaming have occurred in the showcased countries, but of greatest importance is the lack of strong women's movements to drive the process of GM at the national level. Instead, in all three countries, women's mobilisation occurs around issues of, for example, gender-based violence in the form of coalitions that keep the issue alive for a while or as localised temporal movements that mobilise around legislation necessary for law reform. Unfortunately, these movements disappear as soon as the legislative goal has been reached or their level or activities slow down. However, women's movements do not organize to demand gender mainstreaming, a strategy that seems to depoliticise pressing gender inequality issues.

The lack of diversity mainstreaming is problematic. As the slippage from gender to women occurs, it freezes identities in place. It does not provide the intersectionality of identities such as class, disability, ethnicity, race or sexuality. The lumping of issues is not related to an intersectional analysis that would include not only identities but an understanding of how these identities are positioned in relation to power and resources. An intersectional analysis for gender mainstreaming is more ambitious than merely mainstreaming gender in relation to women. Even with this less ambitious task, countries fail in the integrationist version of gender mainstreaming. More comparative studies are needed as research on the translation of gender mainstreaming into practice in Africa is limited. More research is needed to explore further, e.g. patriarchal institutional cultures, the retreat of women's movements concerning gender mainstreaming and the role of external actors like donors in gender mainstreaming where countries pay lip service to gender mainstreaming to obtain funding.

Note

- * This work was supported by the Nordic Africa Institute and its work on gender equality.
1 There has also been a gender budgeting initiative in Ghana. Unfortunately, not much information is available on this.

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WOMEN AND SOCIAL POLICIES IN SOUTH AFRICA AND SIERRA LEONE

Ina Conradie and Abioseh Bockarie

Introduction

In *Development as Freedom* (1999), Amartya Sen conceptualises the Capability Approach around the idea of different *instrumental capabilities*. These instrumental capabilities would form a foundational level for individuals to access universal services and opportunities. When a person has access to these institutional opportunities, or to most of them, s/he would be better positioned to make a range of personal decisions about the life s/he would value (Sen 1999). This notion has arguably not been sufficiently debated and used by policymakers, and one does not often hear about instrumental capabilities. However, instrumental capabilities form the basis of human development and can be used as a guideline for social policy formulation, not least for the development of women in Africa. Once women in Africa have access to most or all of these instrumental capabilities, at a reasonable level, human development and personal and collective realisation of aspirations would indeed be possible. The work of Wolff and De-Shalit (2013) furthermore reinforces these ideas. From a different angle, they look at how capabilities create more capabilities and how disadvantage creates increasing corrosion of well-being. We explore these ideas regarding South Africa and Sierra Leone and policies to improve women's lives in Africa.

Human development in Africa

Mahbub ul Haq and Amartya Sen launched the first Human Development Report in 1990. It signified an essential milestone in the struggle for development and eradicating poverty and inequality globally, especially in Africa. By 2016 the UNDP would report in its annual Human Development Report that most countries in the world had improved in terms of human development indicators (HDIs), but with lower increases in South Asia and the lowest in Africa, where the overall index remained the lowest category. In sub-Saharan Africa, an inequality-adjusted HDI showed a 32% loss of human development, “suggesting that unequal distribution of capabilities, [and] access to basic services and opportunities are major obstacles to achieving universal human development” (UNDP 2016; Copley 2017). For the Human Development campaign run by Haq and the UNDP, the Capability Approach was used as its conceptual and analytical tool. Therefore, to understand the human development

situation of women in Africa today, it is useful to briefly examine the ideas on which the Capability Approach is based.

The Capability Approach

In the Capability Approach, capability sets can be seen as opportunity sets to realise beings and doings that a person would value (Sen 1999). Once the person has achieved these beings and doings, they are called functionings. Until s/he has achieved them, they are capabilities or potential functionings. Therefore, capabilities are real or realisable opportunities, which come into being because of what a person can be or do. These two concepts, *capabilities* and *functionings*, are the first building blocks of the Capability Approach. An important concept in the realisation of capabilities as functionings is the idea of choice. The freedom of choice to choose those capabilities which would give you a valued life is a central tenet of the approach. These opportunities can be very basic ones, such as the opportunity to have three nutritious meals every day, the capability of sleeping in a safe place, or the opportunity to receive and afford basic health care. The more extensive the capability set one can choose from, the bigger will be the range of choices available to a person, and the greater will be the freedom the individual will experience in making choices about what kind of life s/he would want to live (Robeyns 2005, 2017; Sen 1999).

There are also conversion factors that may influence how a person can realise his/her capability set. Robeyns (2017, p. 45) explains that “persons have different abilities to convert resources into functionings.” Each person’s conversion factors should be assessed individually, as his/her life circumstances would be different from those of other people. There are personal conversion factors, such as age, sex and physical condition. These are not factors that a person’s agency determines but individual characteristics that the person has limited or no control over. Social conversion factors, such as gender or culture, or a range of social relationships can facilitate or constrain the realisation of capabilities. At the same time, environmental conversion factors such as living in a half-desert or an inner city can also influence how the person can convert resources into beings and doings (Robeyns 2017, p. 46). Agency comes into play when the person chooses and acts on it to pursue his/her objectives with a degree of autonomy.

Therefore, it will be clear that the Capability Approach works with the constant interaction between individual and social factors. The approach has often been criticised for being overly individualistic. Still, individualism is based on ethical individualism, which says that every person should be heard and not on ontological individualism. Several scholars have nevertheless argued for a more explicit relational ontology in the Capability Approach (Martins 2006; Smith and Seward 2009).

Instrumental capabilities

However, before an individual or small group of people can realise their capabilities, certain “instrumental capabilities” must be in place. Sen says of these:

Each of these distinct types of rights and opportunities helps to advance the capability of a person. They may also serve to complement each other. Public policy to foster human capabilities and substantive freedoms, in general, can work through the promotion of these distinct but interrelated instrumental freedoms.

(Sen 1999, p. 10)

These instrumental capabilities can therefore be seen as a platform on which individual capabilities rest. In Human Development interventions, one needs to question whether instrumental capabilities are in place as they are the foundational structures and institutions that need to function well for individuals to have access to real or realisable opportunity sets. Sabina Alkire contends that “[t]his is a central question to human development, for much of development is more visibly linked with the expansion of instrumental freedoms than with the expansion of individual capabilities” (Alkire 2005, p. 1). Alkire also states that Sen sees these capabilities as having not only instrumental but also intrinsic value – they are important as the foundation level for individual capabilities, but they are also important in themselves (Alkire 2005).

Sen (1999, p. 10) identifies five kinds of instrumental capabilities:

- 1 *Political freedoms.* This refers to a kind of “deep democracy,” where people do not only vote, but also have a voice, even when those in political power disagree with them.
- 2 *Economic facilities.* These are peoples’ opportunities to use economic resources and entitlements and the freedom to “buy and sell, to exchange, and to seek lives that can flourish on the basis of transactions” (Sen, 1999, p. 112).
- 3 *Social opportunities.* Most importantly, these include health and education services and being able to live in a society where these services are available to all (Alkire 2005, p. 4).
- 4 *Transparency guarantees.* This is “the ability to trust others and to know that the information one receives is clear and honestly disclosed” (Alkire 2005, p. 4).
- 5 *Protective security.* This instrumental freedom refers to public social security arrangements and the knowledge that one will have food and a sustainable livelihood in the immediate future, even if there were shocks and stresses.

Wolff and de-Shalit’s work on disadvantage argues that *fertile functionings and capabilities open up other capabilities and functionings for a person*. Instrumental capabilities would facilitate the realisation of other capabilities. Conversely, their *corrosive disadvantage* disables further capabilities and causes general disadvantage (Wolff and De-Shalit 2013, p. 138). Therefore, good access to instrumental capabilities creates a multiplier effect for better human development, while the opposite is true.

Poverty and inequality in South Africa: the impact on women

The long shadow of colonialism and neo-colonialism

The position of South African women has been shaped by long-term historical trends in the country, including almost three centuries of colonialism and 46 years of *apartheid*. The colonial policies were concentrated on obtaining land for white settlers and black labour for the colonists (Laband 2020; Ngcukaitobi 2018). This resulted in a sharp stratification of classes along racial lines and the economic exclusion of the black majority.

After 26 years of democracy, the result is a small multiracial elite, making up about 4% of the population. In the stable upper-middle class, which consists of about 20% of the population, about half are African. The vulnerable/transitory middle class consists of about 27% of the population, and the chronically poor are beneath the poverty line and consist about 49% of all South Africans. At the top there is, therefore, a racial mix, but as one descends the class structure, it is increasingly dominated by African South Africans (Schotte et al. 2017; Visagie 2013). Women are consistently at the lower end of the scale within each of these

classes, as shown below. This neo-colonial pattern has proved to be very hard to overturn, largely because of the enduring role of fertile capabilities among the privileged and corrosive capabilities among the disadvantaged (Wolff and De-Shalit 2013). Compared to when the country had *apartheid* policies, most citizens' situation has improved in that human rights are now universal. Still, the majority have nevertheless been left behind economically. Indeed, South Africa has one of the highest inequality rates in the world, with a Gini coefficient of about 6.5 in 2019 (Statssa 2019).

The influence of patriarchy

Patriarchy is culturally entrenched in South African society. Although these ideas are slowly changing, particularly among students and urban youth, patriarchy is still a strong force in South Africa (Sathiparsad et al. 2008). All public policies in the country emphasise women's rights as equal citizens, and women's movements emphasise the harmful effects of a society where maleness is the norm. Still, these policies emphasising equity and human rights are often not accepted in the domestic sphere (Thobejane 2014).

Gender-based violence

A major problem for South African society is the very high rate of gender-based violence (GBV). In a presentation prepared for parliament on the 30th of July 2020, the statistics service of government revealed that 21% of South African women (or more than 6 million women) have ever experienced physical violence, and 6% have ever experienced sexual violence. These numbers are furthermore probably under-reported. These attacks are more likely to occur to women with lower education levels and with lower income levels. As stated above, almost half of the attacks were perpetrated by intimate partners. Furthermore, violence against women spiked during the pandemic lockdown, although the full extent of the spike is not yet known (Statssa 2020). State President Ramaphosa called this a "second pandemic" (Ellis 2020).

Women's livelihoods

Women provide for themselves and their children, and sometimes for other family members, by using a range of strategies. Labour market wages are the major source of household income for men and women. But although female workers constitute 45% of the narrow workforce, women workers earn wages that are 30% lower than that of male workers (Stassa 2019). Middle-class women with a good educational background can earn a livelihood, and so can (and so can) many women in the lower-middle class. However, the unemployment rate in the country is 43%, according to the expanded definition where discouraged work seekers are included.

Moreover, the unemployment rate is about 7.5% higher for women than for men (Stassa 2019). Many women are therefore unemployed. One possible income strategy for many women is self-employment in the informal market. In the unregulated and more vulnerable informal market, 84.5% of traders are women who seldom own assets. Also, extreme poverty is expected to increase by 9% in 2020 due to the COVID-19 pandemic (World Bank 2020).

The marginalised sector in South Africa has benefited immensely from a range of social grants, which are paid at a low level, but which nevertheless help people to survive in an economy where they lack well-paid employment. When lockdown started in 2020, 18.3 million South Africans, or almost a third of the population, received monthly social grants (Conradie et al. 2021). Lastly, the factor of unpaid care work done by women has to be considered.

Ordinary domestic work in the household is seen as “women’s work” and also care for the sick, the elderly and the disabled (RSA Department of Women, 2019). Put together, the above factors influence the *instrumental capacities* of South African women, as illustrated below.

Instrumental capabilities for women in Site C, Khayelitsha, South Africa: a case study

This section describes the *instrumental capabilities* of women involved in a research programme in Site C, Khayelitsha, near Cape Town, between 2006 and 2012 (Conradie 2013a; Conradie and Robeyns 2013). This group of women were, with two exceptions, in the lowest income groups mentioned above, and many of them were living under the poverty line. Given what was possible, they often made very good choices and changed their lives in whatever ways they were able to. However, we return here to Sen’s observation that the freedom to choose a life one would value rests on the foundation of good and accessible instrumental capabilities. Therefore, we shall now ask what instrumental capabilities were available to this group of women. The question is significant in South Africa because, to some extent, it represents a broader category of marginalised women in the country.

There were 103 women at the start of the programme and 45 women when a second survey was undertaken in 2010 (Conradie 2013b). The stated purpose of the research programme was to assist women in the formulation and pursuit of their aspirations, and all the women chose to pursue a form of income generation.

Economic opportunities

The opportunities for the women in the Khayelitsha group to get formal employment were low. Nella, a woman of 61 who had had very little schooling where she grew up in the rural area but was a good seamstress, said: “It is no use for us to try to get formal work. We will just do these projects that we have been running all our lives” (Conradie 2013a, p. 226).

When the programme ended, some women augmented their incomes by taking part in an Extended Public Works Programme run by the government. The South African government offered more than 8 million short-term employment opportunities to people of all ages between 2012 and 2019 (www.gov.za 2020), and many of these were taken up by women. These included infrastructure projects, neighbourhood cleaning and community care work. These work opportunities are very valuable as an additional income, but they fail to provide real income security as they are not permanent.

For women who want to run their own businesses in the registered or unregistered informal sector, there are training courses available in both the private and the public sector. The government department of Women, Youth and People with Disabilities is currently placed in the Presidency to fast-track programmes for women. This department recently published a gender-responsive planning framework that intends to change the position of women in the country (Portfolio Committee for Women, Youth and Persons with Disabilities 2020). It is too early to predict whether this might lead to better employment opportunities for women. Previous programmes have not met a high degree of policy success, and South Africa is well known for good plans and poor implementation (Terreblanche 2012).

Social opportunities

Young women have good overall educational opportunities, and university education is now free for the lowest income groups in South Africa. Older women from rural areas typically

find it hard to enter the urban world of work, largely because of inadequate formal education. Out of the 103 women in the Khayelitsha group, 25.5% had completed their schooling, and 3% more had completed a post-matric qualification. The largest group, 59%, had passed grade 11, the second last year of school, indicating that they had tried to pass matric but had failed or had dropped out just before the end of their schooling. This scenario reflects a picture of women who made efforts, where about a little more than a quarter had succeeded. The women, therefore, had a reasonably good capability of obtaining an education. Still, these education opportunities were not of a kind or standard to afford them access to further opportunities and were consequently not realisable capabilities. This was evident in the fact that although they had learnt English at school, very few could speak it.

Public health services are good on the whole, and although waiting times can be long, the quality of the service is normally good. South Africans, especially in the urban centres, therefore have good access to good health opportunities. Medicines are not always available due to logistical problems. The self-reported health in the Khayelitsha group was better than expected, with more than 70% being “good” and above. However, some of the older women were overweight, probably due to poor quality food, and many had elevated blood pressure. These health conditions were likely due to poverty and a lack of nutritious food. Therefore, women in Khayelitsha had reasonable but not good opportunities to obtain good education and health outcomes.

Protective security

As discussed above, social protection in South Africa is reasonably comprehensive, with more than 18 million people, almost a third of the population, on social grants. Although these grants are low, they are at a level that can provide basic food. Women in South African with children, therefore, have a realisable capability for social protection.

Transparency guarantees

As political structures and processes in South Africa and particularly in Khayelitsha are not always transparent and free of corrupt intentions (Thompson et al. 2014), and as the bureaucracy and especially local level service delivery in the country is often inefficient and unreliable (Terreblanche 2012; Masiya et al. 2019), the women in the Khayelitsha group arguably do not have this capability. They are, however, members of street committees. Here, every house and street is represented on the local civic structure (Thompson et al. 2014). They can take personal responsibility to ensure that policy issues are taken seriously and resolved.

Political freedoms

Can women use their agency to influence democratic processes to achieve valued outcomes? They can and do indeed do so through regular street committee meetings. Each house belongs to a street committee and has direct access to political participation through the mother body, SANCO or the South African National Civic Organisation. They could also do so by applying to attend other political meetings, but few do that. However, these political processes are hampered by political manoeuvring and infighting among leaders, with fierce competition for well-paid political positions being a prime motivator. People do vote but complain that party political problems are divisive at every level of the organisation, from the very top leadership to the grassroots. Therefore, they have become sceptical about real democracy, particularly with signs of political clientelism present (Thompson et al. 2014).

Women and poverty in Sierra Leone

Like South Africa, Sierra Leone has a history of colonialism and violence. The British colonised the country in 1787 and it gained its independence in 1961 (Rodney 1967). Sierra Leone is one of the poorest countries in the world and currently ranks at 180 out of 187 countries in the HDI. Averagely, more than 60% of the population lives below 1.25 dollars a day. Most of the poor are women, and the country suffers from acute gender inequality. The Gender Inequality Index (GII) in Sierra Leone is 0.644, ranking it 153 out of 162 countries (Human Development Report 2019, p. 5) – evidence that the country is still struggling with gender inequality.

Sierra Leone was colonised as the “Providence of Freedom” (Fyfe 1962) to resettle slaves freed in Britain after abolishing the slave trade and passing the Slave Trade Act in 1807 (Bayman 2014). Hence, the capital city is named Freetown. Equality of opportunity in Sierra Leone has, however, mostly been available to men. A class of small landowners, all men, received land through a system of “democratic yeomanry” (Everill 2013, p. 183). During the colonial period, the Victorian conception of women as domestic beings combined with the patriarchal indigenous culture further exacerbated gender inequality (Bangura 2012).

Another source of inequality in the country is the legacy of the ethnopolitical divide introduced during the colonial period. The creoles, the descendants of freed slaves and settlers, are a demographic minority comprising only 1.2% of the population. The colonial government employed this group, together with British administrators, to rule as administrators over the indigenous people in Sierra Leone (Bangura 2012). This created division in the country between the power-bearing creoles and the other 15 indigenous groups. It particularly impacted the ethnopolitical divide after independence, as Sierra Leoneans were still loyal to their ethnic groups. The two dominant ethnic groups, the Mende (33.2%) and Temne (35.5%), formed political parties that appealed to their respective tribal groups – the Sierra Leone People’s Party (SLPP) and the All People’s Congress (APC). Today these two political parties are still dominant and conflict with the creole leadership and bureaucracy (Swartz et al. 2018).

The colonial legacies of the ethnopolitical divide were worsened during the Sierra Leonean civil war of 1991–2002 when a group assisted by Liberian forces under Charles Taylor fought a long civil war against the background of weak and corrupt leadership in Sierra Leone. This period of extreme violence had a devastating impact on women that is still felt in the country today. Sexual violence, rape and using women as human shields were common war tactics. GBV is quite prevalent in Sierra Leone, and many have traced this to the history of violence during this civil war (Mibenge 2013). Also, after the war, the state’s resources were depleted, and so the state could not play the role of providing gender-based social protection through social policies (Ulf and Gingrich, 2017).

In terms of gender empowerment, the ethnopolitical injustice in the country is still largely responsible for the intra-gender divide among women in Sierra Leone. This is seen in the fact that women from the creole ethnic group have much more privilege and access to resources and opportunities than indigenous women, which has been a pattern since colonial times. Creole women occupy many of the political offices allocated to women (for empowerment reasons) because they usually meet the requirements due to historical privilege – another example of *fertile capabilities*. Creoles possess class privileges, are well educated and are still the majority of the state bureaucrats to this day, even though they are a small minority of women in the country (Glennerster et al. 2013).

These deep-seated inequalities were entrenched in the 1991 Constitution of Sierra Leone. The main tenet of the constitution stated that all persons are equal under the law. Still, section 27 (4d) stated that this would be the case unless otherwise stated by customary law in line with the Chieftaincy Act. The majority of the country's women fell under the chiefdom level of governance, where they had very few rights. Hence, women suffered from gender-based violence, forced marriage, early marriage, lack of property and inheritance laws, sexual exploitation and female genital mutilation (FGM) practices which are still quite widespread among the indigenous tribal groups (UN Women 2014). However, this constitutional discrimination against women was challenged by the country's women with the assistance of UN Women in a collective participatory and consultative process. It led to a review of the gender clauses, which caused the inequality clause in the constitution to be repealed in 2013 (UN Women 2014).

Sierra Leone has slowly transitioned into a democratic republic. Nonetheless, the extent to which the country practices inclusive democracy is still questionable. Also, Sierra Leone's attempt at inclusive democracy from a gender perspective has been quite slow. Women's participation in state offices is not accessible to most women in Sierra Leone at grassroots levels. Sierra Leone holds on to the ideals of inclusive democracy. Still, in practice, religious beliefs, traditional gender norms and lack of education make it difficult for women in the informal sector to access these opportunities. Furthermore, the transition from the proportional representation electoral system (1996 and 2002) to the first-past-the-post system (2007 onwards) saw a drop in the number of women in political offices by 13.5% (Abdullah 2010).

The question arises who would be responsible for advancing the ideals of inclusive democracy for women in Sierra Leone. Some believe it is the role of political parties and the state. However, women themselves do have a role to play in this arena. According to Abdullah (2010), most women avoid politics because they lack financial resources or lack political socialisation, knowledge and skills. We shall now analyse the instrumental capabilities of a group of market women in Sierra Leone, as assessed during fieldwork in 2018.

Instrumental capabilities for Lumley market women: a case study of the Lumley Market Women Association (LMWA)

The Lumley market is an informal market that is located in Lumley, Freetown, Sierra Leone. This study aimed to assess how market women use their political affiliation and collective agency to expand their capability to trade in a safe market. Close to a hundred interviews were conducted, and several focus group discussions were held with 61 women traders. Most of these women live below the poverty line and suffer from the general social, economic and political constraints explained above. Here, we look at the instrumental capabilities they have available to them.

Economic opportunities

The opportunities for women in Sierra Leone to gain formal employment are slim. Only 33% of the women are literate (Statistics Sierra Leone 2017). With limited jobs in the formal sector, these women resort to trading in the informal market as the most viable employment alternative. From the research, many of these women do not have access to loans from banks, and they do not have adequate funding or capital to start a formal business. Also, the goods they trade are not insured, and so they are usually in peril if their goods are stolen or rot or cannot be traded. To make up for the lack of loans and capital, these women have set up

local savings systems locally known as *osusu*. This is mainly a rotational monetary system in which members contribute a set amount every month, and at the end of the month, one of the members is given a lump sum payment.

Market women are often forced out of necessity to find ways to deal with the various economic adversities they face daily. The profit they make through trading is not enough to expand their businesses, and they usually use most of their profits for consumption to survive (Ferguson 2015). Also, there are numerous bureaucratic barriers, paperwork and corruption involved in creating formal businesses, and many of them lack the capital to register and start their own formal trading systems. Hence, they are stuck in the informal sector market.

Social opportunities

Social opportunities such as literacy are limited for the market women. About 70% of the respondents in the market did not complete secondary school education, and very few went to university. Also, about 62% of them admitted that they went to primary school but could not complete it. Access to adult education opportunities is limited in the market. In terms of health opportunities, access to quick medical attention within the market does exist, but the mobile clinic cannot cater for all the market women. Opposite the Lumley market, there is also a hospital, but the cost for treatment is usually expensive and unaffordable. The Lumley market is not far from the Lumley Health centre, but the traffic in the Lumley area makes the centre inaccessible in emergency cases. The women often do not feel the need for a different kind of employment, as their mothers had in many cases also been market traders, and their own identity is part of generational continuity. Their inability to speak and write in English is also a social constraint for most market women. They all speak Krio, the language of the Creole tribe, which is a form of pidgin English. This further limits market women's capabilities as only a handful could, for instance, read the policy documents on the government's plan to relocate the market (written in English). The majority of the market women had to rely solely on the oral explanations of the few who could read and speak English and Krio.

Protective security

Social protection in Sierra Leone is largely non-existent, and its many forms exist only on paper. However, the women have learned over the years to draw on their political affiliation to get politicians to support the market financially by promising to campaign and promote their political parties' agendas in the market in exchange for resources. Also, since they do not receive social grants for child support, many take their children to the marketplace to work because they cannot afford to send them to school. However, with the new policy of free and compulsory primary education, market women are forced to send their children to school. Since protective security is non-existent for market women, they lack a safety net that will cushion them from economic downturns. Aged market women cannot afford to retire early, and disabled market women have no alternative social protection.

Transparency guarantees

In Sierra Leone, few transparency guarantees exist as conceptualised by Sen because economic and social interactions are marked by political affiliations in ways that are not transparent, often based on political clientelism.

Political freedoms

As stated earlier, there is a strong ethno-political divide in Sierra Leone. This problem is deeply entrenched in the Lumley market as well. This is evident in the structure of the Lumley Market Women Association leadership committee. There are 21 committee members, 10 of whom belong to the APC party, and 11 belong to the incumbent SLPP party because one of the latter group's members is the chairlady. This deeply politicised organisational arrangement was deliberate and reflected the ethnopolitical divide in the country as a whole. The divide in the leadership committee also trickles down to the rest of the market community. In recent times the Freetown City Council wanted to coerce the women into electing their own leadership committee rather than to have members appointed by a minister. Still, the women are reluctant to do so as the current committee allows them to align themselves to the party in power to achieve strategic market goals, which they fear might not be possible if the committee were to be elected. Therefore, they chose to be pragmatic rather than dogmatic and retain the election procedure that had benefited them in the past.

Conclusion

Sierra Leone and South Africa are both countries with troubled histories marked by ethnic conflict and violent contestation. These trends shape current relations in both countries, including a class structure where a large part of society is economically excluded and where there is a small elite with access to productive resources. In both cases, a large part of the excluded group consists of women who rely on informal economic activities for survival. There are also significant differences – South Africa is a middle-income economy with excellent infrastructure, while Sierra Leone has become one of the world's poorest countries. Our discussion shows how economically excluded women in both countries have access to different forms of instrumental capability, but not enough to elevate them beyond a survival level. It is important to observe how the different instrumental capabilities inter-relate and build on each other to create a platform for individual or collective change and development. Without education, basic health services and the security that there will be food for the next day, women cannot benefit from economic opportunities. Without transparency guarantees associated with local political systems, women cannot access these political systems to effect the changes they need. Also, these instrumental capabilities need to be realisable at a certain level for the upward mobility of women. Therefore, for policymakers, the message is to make each of the instrumental capabilities equally accessible, as they do not operate as freestanding silos but in deeply integrated ways. As Wolff and De-Shalit (2013) remind us, when enough capabilities are accessible, they create a fertile ground that creates many more opportunities for individuals and groups. When these capabilities are not accessible, well-being can be corroded into deep and multiple disadvantages. These gender opportunities, therefore, need to be diligently monitored.

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WOMEN LEGISLATORS IN LEGISLATIVE POLICYMAKING IN AFRICA

Chiedo Nwankwor and Adedeji Adebayo

Introduction

The visibility of African women in the political space has become more evident since the turn of the 21st century (Tamale 2000; Bauer 2019). Their increased presence in the legislature where laws are made and governmental decisions are scrutinized and ratified is positively associated with public policy outcomes that advance women's rights and sustainable development (Akiyode-Afolabi and Arogundade 2003; Kevane 2014). For example, it is widely believed that women's active participation in politics brings about policy development that is more responsive to citizens' needs and increases cooperation across party lines to achieve it (Rosenthal 2001; Osborn 2014).

According to Osborn (2014), women's participation in political leadership and their presence in legislative assemblies accentuate democratic legitimacy and increase diverse interests in the legislative process. Increasing women's political representation also ensures noticeable gains for women (National Democratic Institute 2012) and, importantly, leads to more sustainable peace and development (Chinkin 2003). However, despite these well-publicized gains that accrue from increased women's political representation, women's membership in the lower or singular legislative assemblies remains low across the world, with Africa being no exception (Inter-Parliamentary Union 2020).

Nevertheless, the existence and form of the relationship between women's presence in legislative and deliberative bodies termed *descriptive representation* and its effect on policy and programmatic outcomes termed *substantive representation* remains contested. Studies have shown that simply increasing women's membership in the legislature does not necessarily yield an increase in policy and programmatic outcomes that promote women's interests (Osborn 2014). Beyond the descriptive analysis of women's representation, demonstrating how women's presence directly and positively affects women's interests has become necessary in the politics of gender representation (Childs and Lovenduski 2013), especially for African countries where gender equality and women's rights remain significantly constrained. Thus, instead of focusing on the proportion of women legislators alone, researchers interested in this field increasingly pursue an understanding of the effect of women's involvement in legislative policymaking. A central question to address this was succinctly posed by Childs and Lovenduski (2013) when they queried, *what happens when women's presence is achieved?*

While women's involvement in government has gone beyond the legislative arm to the executive and the judiciary, we limit our interest in this chapter to the role of women in legislative assemblies in Africa and its implication for expanding women's rights. We then focus on Nigeria, Tunisia and Zimbabwe, offering a comparative analysis of how female representation matters for women in Africa's legislative policymaking processes, especially since the turn of the 21st century.

The state of the field

Women represent almost half of the world's population, yet, they are less likely to occupy important political positions. Even when they do, some argue that their representation is more descriptive than substantive (Eniola 2018). However, much as a response to the opinions and agitations of women activists and women's organizations who believe that female politicians are best equipped to represent the interest of women (Bauer 2019), multiple domestic and international corrective measures have ensured an increase in the number of women in parliaments in recent times (Wängnerud 2009; Tripp 2016; Bauer, 2019).

Currently, the field of women's representation has moved a step further. Many empiricists and theorists have attempted to define and analyse the effect of women's physical presence in legislative assemblies (Osborn 2014). Rather than focusing on just numbers, researchers have become particularly interested in the extent to which getting women elected into the legislature improves the possibility of advancing women's interests through public policy formulation and implementation. In the "politics of presence" literature, a more equitable representation of women in legislative assemblies is believed to be a likely measure to addressing women's concern (Phillips 1995; Mansbridge 1999; Childs and Lovenduski 2013; Okoosi-Simbine and Obi 2020). In Wängnerud's (2009, p. 53) words, "societies that elect a large number of women tend to be more gender-equal also in other respects than societies that elect few women".

Proponents believe that getting an equal number or at least a "critical mass" of women elected in the parliament positively affects how issues affecting them are addressed. The concept of critical mass is derived from nuclear physics (referring to the quantity needed to begin a chain reaction) and was originally adapted by Rosabeth Moss Kanter in 1977 to evaluate change in organizations. In politics of gender representation, it holds that once women constitute a particular proportion (hypothesized to be anywhere between 15% and 45%) of a legislative assembly, "politics will be transformed because a tipping point of some kind is reached".

However, having more women in legislative assemblies has not always led to adequate substantive gains for women (Bauer 2019). Parliaments and the process of policymaking are not flexible. For these reasons, expectations that female politicians can affect policy outcomes in specific ways might not necessarily come easy. Nevertheless, getting enough women into parliaments is an important step in addressing women's interests.

In countries that have recorded an increase in women's descriptive representation, much of these increases are attributed mainly to the adoption of gender quotas, either through voluntary, specific political party measures or by the government through constitutional amendments (Hoodfar and Tajali 2011; Bauer and Burnet 2013). The Nordic countries – Sweden, Norway, Finland, Denmark, Iceland – still dominate the global ranking in the share of women in National parliaments averaging 42.4%. However, among individual countries, Rwanda continues to lead with 61.3% (IPU 2020).

It is vital to clarify that although the share of seats in the parliament as an indicator of political inclusion has been and is still widely used, women do not necessarily form a category of common interest. According to Osborn (2014), even when women legislators pursue women's interests by putting forward policies to address them, party ideologies and institutional configuration could constrain this process. One way women have sought to achieve some commonality of purpose is through women's party caucuses. Women's caucuses are often organized to dissolve party lines and provide peer support to promote gender equality legislation and policy agendas (Osborn 2014).

Although women's positions may differ, Wängnerud (2009) noted that similar lists of women's interests always emerge owing to specific experiences peculiar to them. Even if male legislators are aware of gender differences and seek to address women's issues, they might not have the necessary information, just like mainstream policymakers might lack vital information to address the concerns of minority groups in society (Chen 2020). Anne Phillips made the case in support of women's peculiarities. In her words:

Women have [a] distinct interest in relation to childbearing...; and as society is currently constituted, they also have particular interests arising from their exposure to sexual harassment and violence, their unequal position in the division of paid and unpaid labour and their exclusion from most arena of economic and political power.

(Phillips 1995, pp. 67–8)

Women's inclusion in legislative assemblies comes with a very important diversity component, which has greater incentives to represent women as a group (Mansbridge 1999). Evidence of the link between women legislators' descriptive and substantive representation has also emerged in several studies, which include Wang (2013), Clayton, Josefsson and Wang (2017), Bauer and Burnet (2013). Wang (2013) observed that women lawmakers in Uganda and Rwanda, Tanzania and South Africa made use of the little opportunity the legislature affords them to advance their concerns, including legislation against gender-based violence, inheritance and land rights, family laws and so on. In South Africa, apart from the parliamentary women group, a parliamentary standing committee on improving women's quality of life and status also exists. Many of the gendered legislation in the country were articulated and promoted through the standing committee. Additionally, to achieve more broad-based support, women legislators also cultivate male allies who could speak on their behalf (Clayton, Josefsson, and Wang 2017).

Women and public policymaking in Africa

In the early 1990s, the United Nations Economic and Social Council (ECOSOC) recommended that all member nations adopt a 30% women's leadership inclusion as a governance objective. Furthermore, by 1995, this approval was supported by the Platform for Action (P4A). It underscored the need for government initiatives to address inadequate women's representation and mainstream a gender perspective into all governmental businesses. At the turn of the 20th century, the United Nations Millennium Declaration got underway with eight universal development goals, which were realized by 2015. In September 2015, a new set of 17 sustainable development goals were further articulated and adopted by the world community (Jha, Kickbusch, Taylor, and Abbasi 2016). The two reports emphasized women's and girl child empowerment, as well as gender equality. The resulting international understanding has continued to validate women activists' demand for an end to prejudicial practices that hinder women's political representation.

In Africa, as in other parts of the world, critical issues such as gender-based violence, family laws, land and property rights, and women's participation in politics, which directly affect women, are likely to be debated and ultimately addressed in national legislatures (Bauer 2019). Over the past decade, a consensus has emerged around the idea that women's political inclusion strengthens democracy. It is imperative because it challenges both the power structures and relations that undermine the consideration of women's political and economic needs and improves development outcomes (Bouka, et al. 2019). Having women not just as token actors in legislative assemblies has been addressed recently through a "fast track" approach to the gender quota. Rather than subjecting women's upward political mobility to political and socio-economic development, gender quota is globally acknowledged as a strategy to accelerate women's representation in political bodies.

Research has also shown that these quotas are more effective when combined with the proportional representation electoral system and work less effectively in systems that practise first-past-the-post (Dahlerup 2008; Dahlerup and Freidenvall 2011). This measure follows three basic patterns. First, a political party may voluntarily adopt a quota system (voluntary party quotas) to increase the proportion of women among elected representatives, regardless of whether it is stipulated in the constitution or any legal framework. This type of intervention typically originates within the political parties where feminist activists often push for increased women's candidature. The most notable voluntary party quotas in Africa were 50% adopted by the African National Congress (ANC) in South Africa and 30% adopted by the Front for the Liberation of Mozambique. Second, reserved seats or women's lists can also be mandated by a specific legal framework or the constitution, as in Uganda's case (Tamale 2000; Tripp 2016). Third, binding laws embedded in the national constitution or electoral laws require all political parties to include a certain proportion of women in candidates' lists. This type of quota has the force of law as political parties face sanctions for non-compliance (Hoodfar and Tajali 2011).

In her analysis of the rationale behind the adoption of gender quotas by African countries, Bauer (2019) classified it as unfolding in two waves. The first group of countries (Angola, Burundi, Mozambique, Namibia, Rwanda, South Africa, Tanzania, Uganda) to adopt some forms of gender quota did so in the 1990s and early 2000. These countries took advantage of the political opportunities offered by political transitions in post-conflict contexts. Out of these eight countries, Hoodfar and Tajali (2011) revealed Namibia to be the only country not to have attained the critical mass benchmark of 30%. More recently, more African countries are following suit. Bauer (2019) has characterized adopting the gender quota strategy as the second wave. In both instances, women's movements seized this opportunity to mobilize to further women's upward political mobility and total emancipation (Tripp 2015). Putting this into context, we have purposively selected three countries to present interesting cases of women's legislative engagement in their legislative assemblies. The cases include Nigeria in West Africa, where women's political representation remains a tall order; Zimbabwe in Southern Africa, where the critical mass threshold has been achieved; and Tunisia, where the country's Islamic identity has been skilfully reconciled with women's universal rights and freedom.

Methods

Data

This study employs a comparative case analysis. The bulk of the data stems from secondary sources, including grey materials, peer and non-peer-reviewed media reports, interparliamentary union (IPU) websites and legislative assemblies' websites. In recent years, legislative

bodies worldwide have enriched their websites to improve access to “legislative information and other parliamentary resources” (Salgado 2016). In some bicameral legislature (as in South Africa), separate websites are also established for the different chambers.

Case selection

Because the study highlights the major trends in women legislators’ policymaking engagement in Africa, the cases were purposively selected to reflect variances in women’s numeric presence and their impact on policymaking. The chapter is more descriptive than not, and while it identifies general trends across the continent, it is neither inferential nor deductive considering the bias in sampling. Nigeria scores low on both measures of women’s numeric presence at 3.6%, and policymaking as measured in policy outcomes. Zimbabwe has attained the “critical mass” at 31.9% women’s legislative presence and scores relatively better in women’s policymaking, as can be gleaned from the Hansards. Finally, Tunisia records 24.9% of women’s numeric legislative presence. Its share of the legislative assembly has remained the highest in the Middle East and North Africa until recently (Ohman n.d.). However, policymaking outcomes remain unimpressive (SIGI 2019).

Specifically, the criteria on which we selected these three countries include the desire to reflect geographical spread and the existence of a national gender policy in each of these countries, enacted in the last two decades. In 2006, the Nigerian government introduced a national gender policy to increase women’s participation in leadership and decision-making and defend and advance women’s rights. Zimbabwe introduced a national gender policy in 2004. However, because the policy fell short of its target in specific areas like gender in governance (representation and participation), it was replaced by a new one in 2013. In Tunisia, although there remains a tension between the notion of gender equality and a sense of religious identity that promotes the traditional division of gender roles, the country remains a leading light in terms of women’s civil rights in the Arab world. The most significant gender policy in the aftermath of the Arab Spring was the adoption of an electoral system of proportional representation based on a “zipper” list where men and women alternate throughout the list of candidates (Dalherup, Danielsson, Johansson 2012).

Case 1: Nigeria

As a political entity carved out by the European colonial interest in Africa, Nigeria contends with the crisis of identity on many fronts. Before the country’s colonial experience, the local political, institutional configuration was less patriarchal and accorded women positions of respect in private and public spaces (Oyewumi 1997). To the south of the country, women played significant roles in the palace administration as chiefs, queens and queen mothers (Eniola 2018). Similarly, before the Islamization of many kingdoms in the North, women played prominent roles in political affairs, as in the case of Magira in the Kanem-Bornu empire (Anyogu and Arinze 2013).

Many scholars have traced the institutionalization of sexual division in Nigeria’s political arena to the Western cultural notion of male domination and the introduction of this imported culture through colonialism (Agbalajobi 2010). The elevated patriarchal culture has continued to reflect in party politics privileging gender norms that construct women as unsuited for political leadership (Okoosi-Simbine and Obi 2020). Other factors that overlap and intersect to erect barriers to women’s political representation in Nigeria include various forms of violence, religion, monetization of politics, women’s financial disadvantage and so

on (Nwankwor and Nkereuwem 2019); experiences well captured in Aisha Osori's memoir, *love does not win the election*.

Despite being Africa's largest economy, its most populous country and a regional hegemon in West Africa, Nigeria ranks at the bottom of the global women's parliamentary representation table. The country ranks 52 of 54 (IPU 2020) in Africa, higher only than two other countries (Eritrea and Sudan) where legislative assemblies do not function presently. The inhibition women face in their political recruitment into the legislature in Nigeria starts from the primary elections. The gatekeeping role of political parties and intra-party dynamics excludes women from obtaining candidature, especially for the ruling and major opposition parties. In an interview with Femi Oke and Malika Bilal on the Nigerian 2019 general elections, Christina Ude, a House of Representatives candidate who ran on the Social Democratic Party platform, narrated her experience. In her words:

Now when I decided to run [for a seat in the House of Representatives], I joined the political party in office, [The] APC [All Progressives Congress]. And when I joined, the governor of the state had a mock primary, and he told me to step down... There were three mock primaries. The first one went well; he was very happy with my background and the way I introduced myself and what I said I wanted to do for the people and why I was running for office. But the third one didn't go down well with me. He called all the candidates in the states, and when he got to my turn, he called me up, I stood up... and he said to me I scored 87%, and he looked at another guy and said, you scored 90%. And I was standing there wondering how he scored us, what scale did he put us on to score us. And he said to me "are you going to accept the decision I am about to make?"

(Nigeria Decides 2019)

Historically, major parties rarely field female candidates in elections, forcing many of them to seek candidature in smaller political parties (Nwankwor and Nkereuwem 2019).

Although Nigeria has no quota in place (Dimitrova and Obasanjo 2019), it introduced a national gender policy to address women's underrepresentation in political positions in 2006. The policy proposed 35% affirmative action for women in both appointive and elective positions. However, these efforts have been subverted, and instead of increased upward women's political mobility, women's representation has remained low and regressed in general. Currently, women occupy just 5% of political offices in Nigeria though they make up 49% of the voting population. The majority of female candidates and representatives continue to identify with godfathers they hold in high esteem as guarantors for successful elections and appointments into legislative assemblies and other appointive government offices. As such, their policy preferences are always tied to the interest of these political patrons.

A study conducted by *The Whistler*, an online newspaper on women and legislative policymaking in the Nigerian 8th Legislative Assembly (2015–2019), scored women very low in legislative policymaking. It found that, out of 274 bills passed by the Assembly, none specifically advanced the cause of women (the whistler 2019). Also, an analysis of legislative bills that address gender and women concerns in the 9th Legislative Assembly (2019–till date) reveals the House of Representatives male members to be more proactive in championing women's cause. For example, Honourable Gwani Lucas sponsored the bill to establish the National Center for Women Development Act (Repeal and Enactment) Bill, 2019 (HB. 121). It was also a male representative, Hon. Umeoji Michael, who sponsored a bill to establish the National Council for Widows, Dependent Children and Orphans (Assistance) Bill, 2019 (HB. 342) (nassnig.org).

Case 2: Tunisia

Tunisia is a representative democracy and a republic with a president and prime minister serving as head of state and head of government, respectively. Under French colonial rule, most Tunisian women were veiled, uneducated and performed the domestic duties required by their husbands (Arfaoui 2007). However, since gaining independence from France in 1956, the country has introduced several legal provisions that have expanded women's rights (Benstead 2019). For example, in 1956, Prime Minister (later president) Habib Bourguiba passed the Personal Status Code (PSC), which expanded women's rights by outlawing polygamy and giving women equal rights of divorce. The country has also recorded other gains worth celebrating. Both the citizens with strictly religious perspective to governance and the liberal and progressive ones have been able to work together to build a democratic system that respects individual beliefs and worldviews, which Alfred Stepan (2012) referred to as "twin tolerations".

Women in the Tunisian Assembly of the Representatives recorded further positive prospects following the fall of Zine El Abidine Ben Ali's regime in January 2011. Women MPs have increased in descriptive terms and have been described as the most liberally progressive state in the Arab world (Benstead 2019). On 26 January 2014, an overwhelming majority of Tunisians ratified Tunisia's first post-revolution constitution, further increasing the prospect of women's upward political mobility. With this constitution, both the secular and the Islamist forces put together the region's first democratic constitution notable for its inclusiveness and expansion of citizens' civil and political rights (UNDP 2014). Two articles, 21 and 46, specifically embody the significant gains of women. While Article 21 covers broader categories of gender equality issues, Article 46 highlights explicitly women's achievements in political rights (Kottor 2014). It stipulates:

The state shall commit to the protection and support of women's accrued rights. The state should also guarantee equal opportunities for men and women in carrying different responsibilities. The state will seek to guarantee gender equality in legislative assemblies. The state will take the necessary measures to eradicate violence against women.

However, despite this constitutional intervention, the Tunisian parliament still reflects the masculine nature of its society. Specifically, women MPs report experiences that highlight the realities of the chilly environment in the performance of their legislative duties (NDI 2012). This restricts their ability to fully and adequately participate in legislative debates, especially when debates become heated. Tunisia also scored extremely low on Social Institutions and Gender Index (SIGI) variables for measuring discriminatory social institutions with 47.6% (SIGI 2019).

Although Arab women continue to lag, recording some of the lowest proportions of women in the legislature, this constitutional provision's significance reveals the recognition of the potentials and growth of women in legislative policymaking in all parts of Africa.

Case 3: Zimbabwe

Zimbabwe's political trajectory presents an unfortunate trend of violence. The colonial government deliberately sought to turn Southern Rhodesia into a "white man's county". They subjugated the indigenous people of Zimbabwe and denied them land rights, ushering different waves of violence from 1890 until the end of the Unilateral Declaration of Independence

(UDI) in 1965 (Bond and Manyanya 2002). It was a double layer of marginalization for women as the initial demographic imbalance along racial lines and the colonial patriarchal culture rendered women more invisible in the political scene.

To remedy this imbalance, the Zimbabwean constitution, which came into effect in 2013, took a practical step to counterbalance the constituency-based electoral system that is highly competitive and less women-friendly in the process of improving their upward political mobility. It provides that a quota of 60 of the 270 seats be set aside in its National Assembly for women to be occupied through proportional representation, increasing the share of women in parliament from 16% to 31% (IPU 2020).

There have been significant improvements in women's rights since the beginning of the millenium. For example, existing laws prohibit discrimination based on sex, marital rape and domestic violence. It also ratified the Maputo Protocol and the South African Development Community (SADC) Protocol on Gender and Development (SIGI 2019) in 2008. From Hansard over the last ten years, several motions and debates have touched on the need to improve women's rights. For example, on 21 January 2014, Mrs Nyamupinga, a women's activist and MP, in making a case for the adequate funding of the Ministry of Women's Affairs, said: "If we are not funding ministries like women affairs, I do not know whether we still have interest in developing our communities and also increase our GDP" (National Assembly Hansard—21 January 2014 Vol. 40, No. 23). Her passion for the total emancipation of women from the shackles of patriarchy has also made her raise motions on the need to expedite actions on such subject as the gender-based violence strategy and the revision of draft national gender policy, women's participation; gender mainstreaming in all sectors; promoting women's success to justice and funding of women's projects.

To commemorate the 2015 Women's Day Celebration globally observed every 8 March, Mesdames Misiharabwi-Mushonga, Matibenga and Themhani spoke extensively on the contributions of women in politics and their marginalization, their vulnerability to different kind of diseases and why it is essential to improve health infrastructure (National Assembly Hansard—03 March 2015 Vol. 41, No. 20). Besides raising motions and sponsoring bills that affect women's issues on the floor of the house, women MP have taken practical steps to investigate and monitor the process and progress of service delivery.

For example, the second reading of the motion on the first report of the portfolio committee on health and child care revealed the effort of the delegation of lawmakers led by Honourable Mabel Chinomona on the fact-finding mission to Zambia on Cancer Management and Blood services from 25 June to 1 July 2017 (National Assembly Hansard 05 December 2017 Vol. 44, No. 24). In 2013, the minister of labour and social welfare moved a motion to ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (National Assembly Hansard—14 May 2013 Vol. 39, No. 16). Within the last ten years, the aggregation of all women's legislators' substantive representation of women's interests reveals a significant level of interventions emanating from women MPs.

Discussion

The share of women's representation has remained the most important scale for measuring women's political representation. Since Rwanda distorted the patriarchal political ecology of Africa, and indeed the world, dominating its lower legislative chamber for almost two decades now, the conversation about women's political representation gained more stimulation. This is because occupying legislative positions could provide women with greater policy influencing opportunities "to legislate social and other pro-women policies that tend to

positively affect their fellow women more” (Okoosi-Simbine and Obi 2020, p. 12). According to Clayton, Josefsson and Wang (2017), studies examining the introduction and effect of the adoption of gender quotas constitute one of the fastest growing subfields within the politics of gender representation. Apart from analyzing the numerical impact of women in legislative assemblies, how women’s interests are articulated – substantive representation – in the legislative process has raised the bar of the debate in recent times.

However, analysis of women’s upward political mobility, more often than not, appears to focus less on women’s actions when they eventually get elected into legislative assemblies. This is essentially the case for Nigerian women, especially on issues that address women’s concerns. Unlike Tunisia and Zimbabwe, Nigeria’s scenario presents a fatal mix of development retarding outcomes with abysmal women’s descriptive representation and almost nonexistent substantive representation on account of the few elected ones, allowing men to dominate the business of legislative policymaking. At face value in Nigeria, it appears that men legislators represent women’s interests more than women legislators. Nevertheless, one should take this finding with a pinch of salt, especially when examined through the conceptual lenses of the “critical mass” conjecture.

The Tunisian political space reflects a relatively steady growth of women’s representation. Despite a series of legislation promoting women’s political inclusion, Grami (2008) had described the role of women before the Arab Spring as mostly cosmetic. Since 2011, women parliamentarians and civil society organizations have continued to play active roles in debates and conversations to expand women’s rights in the constitution (Benstead 2019). For example, the inclusion of Articles 21 and 46 in the Tunisian constitution of 2014 makes it one of the world’s most gender-progressive constitutions. The constitution not only calls for an end to all forms of gender-based violence, which remains a substantial problem the world over, it also guarantees gender parity in all the country’s legislative assemblies.

Although women’s representation is still inadequate, in Zimbabwe, women’s presence has increased dramatically since the adoption of gender quotas in 2013 (Kang and Tripp 2018). The Zimbabwean parliament’s Hansard provides the most detailed and comprehensive records of legislative businesses, which covers an average of ten years (2009–till date). The legislative transcripts reflect some level of women’s contributions (which covers women and other developmental issues). Women are proactive in the promotion of motions and bills which directly addresses their concerns.

Conclusion

Ensuring gender parity in political representation is a fundamental step to safeguarding and strengthening democratic growth. However, beyond that, having women in their numbers, no matter the proportion, in legislative policymaking could further provide the conditions that ensure greater attention to women’s interests. As the struggle for the equality of the genders continues the world over, women’s participation in legislative policymaking, particularly in Africa, provides a beacon of hope for gender parity in legislative policymaking. For more than a decade now, Africa has remained the global leader in women’s descriptive representation in the lower house of representatives. African women have been praised for shattering the glass ceiling in the political space by contesting and occupying various political offices in the executive and legislative branches of government, including the presidency.

Nevertheless, the landscape of women’s political representation differs significantly across the different countries in Africa, with at least 41 countries still below the critical mass benchmark. Women also seem to be less proactive in terms of legislative policymaking. Several

structural roadblocks that affect women's political representation play out beyond descriptive representation. While efforts to ensure gender parity – and not just the attainment of critical mass – in national parliaments continue, taking into account these representatives' actions when they get elected is equally important.

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Appendix 46.1

Women in national parliaments

Share of African lower or singular legislative assemblies

<i>Rank</i>	<i>Country</i>	<i>Elections</i>	<i>Seats</i>	<i>Women</i>	<i>% W</i>
1	Rwanda	09.2018	80	49	61.3
2	South Africa	05.2019	397	185	46.6
3	Namibia	11.2019	165	69	43.3
4	Senegal	07.2017	165	71	43.0
5	Mozambique	10.2019	250	103	41.2
6	Ethiopia	05.2015	547	212	38.8
7	Burundi	05.2020	123	47	38.2
8	Tanzania	10.2015	393	145	36.9
9	Uganda	02.2016	459	160	34.9
10	Cameroon	03.2020	180	61	33.9
11	Zimbabwe	07.2018	270	86	31.9
12	Angola	08.2017	220	66	30.0
13	South Sudan	08.2016	383	109	28.5
14	Mali	04.2020	147	41	27.9
15	Djibouti	02.2018	65	17	26.2
16	Algeria	05.2017	462	119	25.8
17	Cape Verde	03.2016	72	18	25.2
18	Tunisia	10.2019	217	54	24.9
19	Somalia	02.2017	275	67	24.4
20	Lesotho	06.2017	120	28	23.3
21	Malawi	05.2019	192	44	22.9
22	Kenya	08.2017	349	76	21.8
23	Seychelles	09.2016	33	7	21.2
24	Equatorial Guinea	11.2017	100	21	21.0
25	Morocco	10.2016	395	81	20.5
26	Mauritania	09.2018	153	31	20.3
27	Mauritius	11.2019	70	14	20.0
28	Togo	12.2018	91	17	18.7
29	Niger	02.2016	171	29	17.0
30	Zambia	08.2016	167	28	16.8
31	Comoros	02.2020	24	4	16.7
32	Guinea	03.2020	114	19	16.7
33	Libya	06.2014	188	30	16.0
34	Madagascar	05.2019	151	24	15.9
35	Chad	05.2011	162	25	15.4
36	Egypt	12.2015	596	90	15.1
37	Gabon	10.2018	142	21	14.8
38	São Tomé and Príncipe	10.2018	55	8	14.6
39	Guinea-Bissau	03.2019	102	14	13.7
40	Burkina Faso	11.2015	127	17	13.4

(Continued)

Women in national parliaments

Share of African lower or singular legislative assemblies

<i>Rank</i>	<i>Country</i>	<i>Elections</i>	<i>Seats</i>	<i>Women</i>	<i>% W</i>
41	Ghana	12.2016	275	36	13.1
42	Democratic Republic of Congo	03.2019	500	64	12.8
43	Liberia	10.2017	73	9	12.3
44	Sierra Leone	03.2018	146	18	12.3
45	Côte d'Ivoire	12.2016	255	29	11.4
46	Congo	07.2017	151	17	11.3
47	Botswana	10.2019	65	7	10.8
48	Eswatini (Swaziland)	09.2018	73	7	9.6
49	Central African Republic	03.2016	140	12	8.6
50	The Gambia	04.2017	58	5	8.6
51	Benin	04.2019	83	6	7.2
52	Nigeria	02.2019	360	13	3.6
53	Eritrea	02.1994	-	-	-
54	Sudan	04.2015	-	-	-

Source: Adapted from Interparliamentary Union Database, <http://archive.ipu.org/wmn-e/classif.htm>; Afrobarometer, afrobarometer.org; and Nigeria's Independent National Electoral Commission, inecnigeria.org (accessed 15/08/2020).

PART XI

Understanding crisis management,
migration and regional trade policies



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PUBLIC POLICY AND DISASTER MANAGEMENT

The role of law in international disaster assistance in Africa

María Mercedes Martínez

Introduction

Laws and regulations are the backbones in establishing disaster management policy processes and coordination mechanisms to prepare to respond to emergencies adequately. Comprehensive disaster risk management laws are also integral to ensuring that the functions and responsibilities of different stakeholders in disaster management are clearly articulated. During the past two decades, a new discipline of law, disaster law, has emerged as a distinct field and continues to be progressively codified. It focuses on strengthening institutional and legal frameworks for cohesive disaster risk management and regulating all phases of the disaster management cycle. Disaster law was initially solely focused on international disaster response laws, rules and principles (IDRL), aiming to guarantee operational effectiveness in cross-border emergency responses to natural and human-made disasters. Since setting the stage for the coordination and rulemaking of international response operations, disaster law has rapidly expanded its scope to cover disaster risk reduction legislation and domestic preparedness and response. Discussions in this chapter are organized in the following sections and with a specific focus on IDRL.

Disaster law and climate change: recent global developments and policy frameworks

The development of comprehensive legal frameworks for disasters has emerged as the cornerstone of an effective disaster risk management system. If public policy refers to interventions by the government to address societal issues, laws are key enablers, with the potential to lay out rules and procedures for the mitigation, reduction and response to disasters; dictate behavioural change; and assign roles and responsibilities vertically and horizontally among the different stakeholders while building community resilience. In 2015, the international community adopted three global frameworks with the overarching ambition of enhancing resilience. Agenda 2030 lays out the pathway for achieving sustainable economic and social development through a 15-year framework. Goal 13 on “Climate Action” encourages countries to take urgent action to combat and mitigate the effects of climate change.

Intrinsically related to the achievement of Goal 13, signatories to the United Nations Framework Convention on Climate Change reached a landmark agreement during the 21st Conference of the Parties in 2015 – the Paris Agreement. This binding commitment aims to build climate-resilient communities through adaptation practices, reduce greenhouse gas emissions and limit the global temperature rise to under 2°C, striving to limit the increase to 1.5°C. The agreement came into force in 2020 and is arguably paramount to achieving sustainable development. Adopted at the Third UN World Conference on Disaster Risk Reduction in Sendai in 2015 and articulated around four priorities for action and seven targets, the Sendai Framework for Disaster Risk Reduction (Sendai Framework) is a 15-year voluntary agreement. It is the third global commitment on disaster risk reduction, following the Yokohama Strategy and Plan of Action for a Safer World adopted at the First UN World Conference on Disaster Risk Reduction in 1994 and the Hyogo Framework for Action adopted at the Second UN World Conference on Disaster Risk Reduction in 2005. The objective of the Sendai Framework is to considerably reduce disaster risks and the losses in lives, livelihoods, property; and prevent new risks from emerging. It identifies four priorities for action concerning disaster risk reduction: (1) understanding risk; (2) strengthening risk governance; (3) investing in disaster risk reduction; and (4) enhancing disaster preparedness for effective response and to “Build Back Better” in disaster recovery, rehabilitation and reconstruction.

With Priority Two on “strengthening disaster risk governance and Priority Four on enhancing disaster preparedness for effective response”, the Sendai Framework recognizes that the enhancement of policies can create a clear path for disaster reduction. Both priorities encourage strengthening national institutional and legal frameworks for the smart management of disaster risks. Therefore, governance entails developing laws, policies, strategies and plans that clearly articulate the means to address risks and vulnerability from disaster risk reduction to preparedness, response and ultimately recovery.

Foundation for the development of IDRL

Remarkably, there is no comprehensive global agreement that regulates international disaster response. The League of Nations attempted to achieve this through the creation of the International Relief Union in 1927. Article 2 of the Convention and Statute Establishing an International Relief Union mandated the Union, in the event of a disaster exceeding national response capacities, to coordinate international assistance and furnish the affected population with the required aid, funds and resources. Two guiding principles with longstanding recognition were highlighted in the convention: “respect for the territorial sovereignty of parties and non-discrimination in assistance” (Macalister-Smith 1981). Despite the disaster focus of the Union, which was progressive for the time, the Union hardly achieved significant success in its mandate before the League of Nations was dissolved.

Notwithstanding the lack of a binding legal instrument, various international law instruments contain isolated provisions to guide disaster relief efforts within certain sectors. IDRL elements are found in the 1998 Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations. This treaty, which entered into force in 2005, provides legal facilities for the importation of telecommunications equipment and resources during emergencies, requiring state parties to “reduce or remove regulatory barriers to the use of telecommunication resources for disaster mitigation and relief, including the provision of telecommunication assistance” (Article 9 (1)).

Similarly, Annex 9 of the Chicago Convention on Civil Aviation provides procedural guidance for customs, immigration, agriculture and public health clearance of aircraft containing humanitarian assistance in response to disasters, including passengers, goods and mail. Further, the Convention on the Facilitation of International Maritime Traffic mandates parties to put in place provisions for the entry and exit of “disaster relief work” in addition to simplifying the clearance of humanitarian personnel and cargo.

The International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention) combined with the 1990 Convention on Temporary Admission (Istanbul Convention) also simplifies and harmonizes customs clearance procedures for importing goods. Particularly, Annex B9 to the Istanbul Convention stipulates the measures and exemptions for the temporary admission of goods for humanitarian purposes in response to natural disasters and other catastrophes. Annex B2 to the Istanbul Convention regulates the importation of professional and communication equipment for practitioners of various disciplines to support relief efforts. Moreover, Annex J-5 to the Kyoto Convention provides the guidelines to expedite relief consignments intended to assist those affected by disasters.

Legally binding in 196 states, the 2005 International Health Regulations constitute the most comprehensive instrument to deal with health emergencies with a potential trans-boundary effect. These regulations define rights and responsibilities for states parties in handling outbreaks and providing public health measures for international traffic and travel. In conjunction with documented field experience in emergency operations, these fragmented treaty provisions laid the foundation for what would later be consolidated as IDRL.

Development of IDRL

States bear the primary responsibility to respond to disasters and to meet the needs of the affected population. However, in situations where domestic capacities have been exceeded, support from the international community, whether through offers of assistance or in response to an emergency appeal, must complement national efforts and should be carried under the basis of a needs assessment approach. Numerous experiences in the aftermath of disasters proved that bureaucratic challenges had hampered urgent assistance delivery. Recurrent issues related to humanitarian access have been identified to include restrictions in the clearance of goods and equipment, imposition of charges and taxes for humanitarian cargo, delays in the issuance of visas and work permits for international relief actors and the lack of recognition for their professional qualifications (IFRC 2003). The second set of challenges related to quality, accountability and coordination from international relief providers was identified as an obstruction in aid delivery. Inadequate or unnecessary goods, inexperienced personnel and poor quality assistance posed severe operational challenges, exacerbated by the increasing number and variety of international responders, adding another layer of complexity to the already convoluted scenario (IFRC 2003).

Due to the repetitive pattern of these constraints, the International Federation of the Red Cross and Red Crescent Societies (IFRC) led a series of consultations involving over a hundred governments, Red Cross and Red Crescent National Societies, international organizations and non-governmental organizations to understand better the underlying causes for such operational difficulties in international disaster relief efforts. The findings showed that these issues were regulatory (IFRC 2003). They arose due to the absence of a legal framework that clearly stipulated roles and responsibilities for the various government institutions and intervening actors. Similarly, provisions for requesting, channelling and managing the overwhelming flow of aid from the international community were also missing.

Emerging from a pressing need and out of this evident gap, IDRL was born as the first domain within disaster law. Its purpose is to regulate large-scale natural or human-made disasters that surpass domestic capacities by setting out provisions and standards to guarantee operational effectiveness.

IDRL guidelines and policy implications

States parties to the Geneva Conventions alongside the Red Cross and Red Crescent Movement components unanimously adopted the “Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance” (also known as the IDRL Guidelines) in 2007 during the 30th International Conference of the Red Cross and Red Crescent. Global in scope, the IDRL Guidelines are a non-binding instrument that offers recommendations to governments on how to prepare their domestic legal frameworks to regulate and manage international assistance in the wake of a disaster. They address the most common issues in relief operations to streamline the expeditious delivery of relief aid and initial recovery described above.

The IDRL Guidelines have been designed for state and non-state actors from all response sectors and pertain to all types of disasters. However, the Guidelines do not apply to situations of armed conflicts, which International Humanitarian Law regulates. The IDRL Guidelines combine isolated existing provisions on relief facilitation found in certain international treaties, in addition to best practices and lessons learned from international operations. Most notably, the IDRL Guidelines recognize that international disaster relief should be initiated only with the consent of the affected State and, in principle, based on an appeal (IFRC 2007a). As states bear the authority and responsibility to request and/or accept offers of support from the international community, the governmental machinery must have regulations that dictate the procedures to be applied from an emergency phase, whose focus is the reestablishment of vital lines, to the reconstruction phase towards development.

The IDRL Guidelines suggest minimum legal facilities that affected states should grant to eligible relief providers to allow them to provide cross-border assistance efficiently and effectively. These include concessions related to expedited entry into the country, access to the affected area, preferential customs clearance, tax and duty exemptions, among others. Immigration, customs and financial privileges stand out within the minimum package of legal facilities that states are encouraged to provide to international responders that meet the eligibility criteria established in the national law. As a core element for effective response in disasters, legal facilities fall into two groups: those concerning personnel and those concerning goods and equipment.

Qualified international personnel should be subject to a special migration procedure to guarantee expeditious entry into the country to render assistance. Such a procedure should regulate the granting of visas upon arrival free of charge or entirely waiver visa requirements. It is equally essential that regulations contemplate a simplified process to issue the required work permits, including recognizing professional qualifications to allow medical and technical personnel to carry out humanitarian work in the country.

The second group of legal facilities concerns special goods and equipment donated, distributed or used by international actors in response to the identified needs. Goods and equipment imported for humanitarian purposes should be subject to special procedures that allow for prioritized and speedy customs clearance. Likewise, they should be exempted from the payment of any importation taxes, costs or duties. This kind of special treatment does not call for lack of control or inspection but rather a streamlined process that validates the

necessity and use of the imported goods and equipment. Special equipment relating to search and rescue work and the restoration of communication systems are among the most common and necessary when dealing with an emergency. As recommended by the IDRL Guidelines, the affected State should provide free or simplified access to licences for this type of equipment and “reduce any other barriers to the use, import and export of telecommunications and information technology equipment” either by eligible actors or responding states. The import of medicines for humanitarian purposes should be regulated in detail. States are required to provide clarity regarding the list of permitted medicines, the minimum entry and distribution period, transport parameters for preservation and labelling.

The legal facilities described above should be granted from the relief phase onwards and remain in force until the reconstruction phase. The IDRL Guidelines balance the legal facilities afforded to assist actors by assigning them the responsibility to provide appropriate and quality assistance following recognized humanitarian principles. Principles like humanity, neutrality and impartiality are derived from the Code of Conduct for the Red Cross and Red Crescent Movement and the Inter-Agency Standing Committee Guidelines. Moreover, the *Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response* provides valuable guidance regarding quality and principled assistance from relief providers. Considering this, the IDRL Guidelines qualify that any facilities granted to international responders should be based on eligibility requirements set by the receiving or affected state and subject to the adherence to national law and respect for recognized standards and principles.

Accordingly, the IDRL Guidelines suggest creating a registration mechanism to define eligibility criteria, namely, a list of requirements to be demanded for the entry of international aid in the form of personnel, equipment and goods. This mechanism should be put in place and disseminated in advance of an emergency as part of a preparedness plan. Having a list of registered actors would allow the government to assess its potential available resources, thereby expediting the entry of qualified actors in operation.

Under this premise, the normative framework should identify the institution that will process the eligibility requests in consultation and coordination with other government actors, the procedure to be followed and the entitlement certificate duration. A practical provision in the IDRL Model Law establishes one-stop shops at the country’s entry points (IFRC/OCHA 2013). A mechanism of this type entails having representatives from institutions responsible for managing international assistance and a mandate for granting legal facilities and implementing the special procedures should circumstances be triggered. The IDRL Guidelines also call upon sending and transit states to apply the same legal concessions recommended to affected states to facilitate cross-border collaboration between neighbouring states or those in the same region.

In a nutshell, the IDRL Guidelines call for practical and simplified procedures to facilitate international disaster assistance, addressed to governmental and non-governmental emergency responders, in a level of detail that leaves no room for confusion. Notably, the IDRL Guidelines are supported by a suite of additional policy tools, including a Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, which provides the legislative language necessary to implement the IDRL Guidelines into domestic law; a Model Emergency Decree for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, which is intended as a reference tool for voluntary use by states faced with a major disaster and the possibility of a large influx of aid providers; and a Checklist on the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (the “IDRL Checklist”), which has been developed as a supplemental legal assessment tool to assist states in making use of the IDRL Guidelines.

IDRL and the domestication of humanitarian aid

Since the adoption of the IDRL Guidelines in 2007, considerable progress has been made in enhancing legal frameworks regarding international disaster assistance worldwide: at least 37 legal instruments have been influenced by the provisions of the IDRL Guidelines (IFRC 2019). The IFRC Fourth Progress Report on the Implementation of the IDRL Guidelines, while recognizing significant advances at the national level, also indicated prevailing regulatory gaps, as most countries still “lack comprehensive domestic laws, rules and procedures for managing international relief”. Similarly, the international community’s need for a transformative shift in humanitarian operations was widely recognized during the United Nations World Humanitarian Summit in 2016 (the Summit).

At the Summit, the world’s major humanitarian donors and aid organizations signed the Grand Bargain Agreement to improve the effectiveness and efficiency of humanitarian aid. Through this Agreement, the preponderance of domestic actors was finally acknowledged with a pledge for “localization”. Donors and aid organizations agreed on “making principled humanitarian action as local as possible and as international as necessary” – assuring that at least 25% of international investment is placed in the hands of domestic actors and the commitment towards its organizational development and the building of partnerships for a coordinated and balanced interplay between national and international actors rank high in the indicators list of proper local action.

The core aim of the IDRL recommendations in bringing effectiveness to humanitarian interventions through the strengthening of the role of domestic actors is in harmony with the goal of localization of humanitarian aid. Consequently, the Guidelines recognize that:

it is first and foremost the responsibility of the government of the affected state to address the humanitarian needs caused by a disaster within its borders. National Red Cross or Red Crescent Societies and other domestic civil society actors in the affected state play a key supporting role. International disaster assistance should be designed and implemented [to] be complementary to the efforts of these domestic actors, rather than displace them.

(IFRC 2007)

In addition, the IDRL Guidelines stress that international disaster relief should be initiated only with the consent of the affected state and based on an appeal (IFRC 2007).

The protection of persons in the event of a disaster

The International Law Commission’s (ILC) 68th session in 2016 marked the occasion for the adoption, in the second reading, of the *Draft Articles for the Protection of Persons in the Event of a Disaster*. The initiative constitutes the most significant opportunity for the codification of IDRL into a global treaty. It has two purposes: “to facilitate the adequate and effective response to disasters, and reduction of the risk of disasters, to meet the essential needs of the persons concerned, with full respect for their rights”. Notably, the Draft Articles concretize obligations for effective disaster response based on human rights and include duties to reduce the risks of disasters. The scope of applicability of the Draft Articles is not limited to natural disasters, as they also contemplate human-made disasters (ILC 2016). However, as clarified in Draft Article 18, the provisions set by this initiative would not apply in situations of armed conflict to the extent that the rules of international humanitarian law govern the response to a disaster.

This substantial progress towards the regulation of international disaster response through a potential legally binding instrument in the future faithfully reflects the essence of the IDRL Guidelines. Its 18 draft articles convey the role and duty of affected states while emphasizing the humanitarian principles under which international assistance must be provided. Notably, Draft Article 15 succinctly articulates the legal facilities that should be granted to assisting states and non-State actors. Subject to adoption by UN member states as a binding agreement, this project holds the possibility of codifying core IDRL norms and transforming international disaster response operations worldwide. Conceivably, regions could take steps towards attaining this goal by adopting binding instruments in this matter at the regional level, even before a global treaty is accorded.

The regional framework for disaster risk management in Africa

The last decade has witnessed a growing interest of intergovernmental bodies in disaster preparedness and management, viewing regionalization as a means to enhance cooperation. Asia and Central America stand out for having regional response mechanisms that outline protocols to coordinate relief operations for large-scale emergencies. Also, the African Union (AU) has made significant advances that promise to impact the management of cross-border interventions.

Since its adoption in 2009, 31 AU member states have ratified the “Convention for the Protection and Assistance of Internally Displaced Persons in Africa” (Kampala Convention). This binding instrument constitutes the first of its kind to enact regional obligations to states parties in the protection of Internally Displaced Persons (IDPs), including those displaced by natural or human-made disasters. State parties are obligated to facilitate the coordination of international relief and “allow rapid and unimpeded passage of all relief consignments, equipment and personnel to internally displaced persons” (Article 5 (7)). African states have also laid out a roadmap to address the region’s path towards sustainable development through *Agenda 2063: The Africa We Want*, where climate resilience and natural disaster preparedness are listed as priority areas to achieve the aspiration of regional transformation.

Another guiding document is the AU’s 2015 Humanitarian Policy Framework. The AU delineated a strategic approach to strengthening the region’s institutional framework and capacity to address the challenges identified in Agenda 2063. The AU seeks to place a coordination mechanism among its internal commissions, member states, Regional Economic Communities and humanitarian partners with a multidimensional lens. Of significance, good governance and institutional strengthening are recognized in national and regional plans to implement the 2063 Agenda imperatives. Legal and policy preparedness stands as an enabler to overcome regulatory barriers that detract from the swift response to various humanitarian crises.

In the spirit of Pan-Africanism, the region’s transformative approach is reflected in the 2016 Common African Position for Humanitarian Effectiveness. Drawing from this vision, the AU’s Assembly has adopted a pivotal initiative with the potential of regulating and coordinating international disaster assistance: the creation of an African Humanitarian Agency (AFHA) (Assembly/AU/Dec.604 (XXVI) 2016). Regional in scope, the main purpose of this entity is to “effectively respond and coordinate humanitarian crises on the continent” (ibid) while centralizing humanitarian action in its member states.

Notably, the formulation of a regional legal framework for the regulation of international humanitarian assistance in line with the recommendations of the IDRL Guidelines has been identified as being imperative by the Study on the Operationalization of the AFHA,

spearheaded by the AU Department of Political Affairs (Badejo 2019). In response to this policy need, the Department of Political Affairs, with support from the IFRC, is leading the drafting of a Model Act on the facilitation of International Humanitarian Assistance. The draft document, which draws from the standards, principles and facilities proposed in the IDRL Guidelines, in addition to IFRC and OCHA's Model Act on IDRL, intends to promote overarching reference legislation to guide cross-border disaster relief. For the Model Act to transcend and fulfil its mission, it needs to be endorsed by member states and promoted by the Regional Economic Communities (RECs) within Africa (more detail below). This would involve a sub-regional boost for its domestication throughout the AU membership. Technical guidance would likely be required in facilitating the implementation of a national legal instrument in conjunction with the development of a regional or sub-regional response mechanism.

RECs as potential drivers for IDRL

Sub-regional inter-governmental organizations (RECs) are catalysts in the design of governance architecture to effectively manage disasters. Within Africa's integration scheme, eight RECs are the continent's operational arms towards social and economic development. These have the mandate to promote, develop and implement policy initiatives with the potential of impacting country-level legislation. The Economic Community for West African States (ECOWAS) has been the most active in developing governance structures for the effective management of disasters and forms the focus of this section.

The Humanitarian Policy (the Policy) adopted by the ECOWAS is aimed at “the prediction, prevention and overall management of disasters and conflicts towards limitation or elimination of effects thereby preventing death, human suffering, and development losses; and enhancing the protection and social situations of all West African citizens and residents” (ECOWAS 2012). Accordingly, the Policy aims at achieving seven strategic objectives, the first two being the strengthening of “Legal and Policy Frameworks for Preventing and Responding to Emergencies” and the “development and strengthening of Institutions for Managing Emergencies and Responding to humanitarian challenges”. The ECOWAS Secretariat and representatives from its member states have discussed the activities that would best implement the Policy's objectives within the 2018–2022 Humanitarian Policy Plan of Action.

Hence, during the 12th and 13th Annual Consultation of the Regional Committee on Disaster Management in West Africa, member states considered as decisive the adoption of regulatory frameworks fit for international disaster response that take into consideration the standards set in the IDRL Guidelines. Also, within the Policy scope, ECOWAS is undertaking the development of a Disaster Management Handbook. The draft Handbook devotes a section on the facilitation of international humanitarian assistance and is expected to support member states in developing national legal frameworks that strengthen the capacity of national responders. Moreover, this organization has gone even further in guiding its membership in assessing its institutional preparedness to facilitate humanitarian relief operations. Consequently, in September 2018, ECOWAS adopted a “Rapid Self-Assessment Template on Disaster Management” that uses the IDRL Guidelines as a benchmark.

Through these initiatives and policy documents, there seems to be a tendency to consolidate a West African approach to cross-border cooperation in disasters. As drivers of change, RECs are instrumental in promoting regional cohesiveness and prompting disaster management governance. Time will tell whether the work of ECOWAS will be the prelude to a harmonized response mechanism that brings life to AFHA.

National disaster risk management frameworks in Africa

The approach to IDRL in national legislation and disaster risk management policies of African states has been mixed. Some countries' disaster risk management laws do not explicitly reference IDRL (e.g. Tanzania 2015, Zimbabwe 1989). Others contain minimal references to IDRL on the need to request international assistance, providing additional regulations will be developed to manage the assistance (South Africa 2002; Zambia 2010). In some of these instances, disaster risk management policies provide more detail on the approach to IDRL in a country. For example, in South Africa, the Disaster Management Act, 2002 does not contain comprehensive IDRL provisions. Although it does require regulations to be made in this regard and that a framework must be developed to facilitate inter-alia South Africa's cooperation in international and regional disaster management in sections 27(2) and 7(2)(c), respectively. The National Disaster Management Framework for South Africa (2005) (the Framework), however, contains additional provisions on IDRL.

Section 1.4.5 of the Framework stipulates that appropriate protocols for requesting international disaster assistance must be established as a matter of priority. The Department of International relations and Cooperation (DIRCO) is responsible for promoting and facilitating South Africa's international cooperation in disaster risk management alongside the National Disaster Management Centre (NDMC). The section further provides that the NDMC is responsible for facilitating assistance and mobilization of resources in response to international assistance requests. On funding, section 74.1.3 of the Framework states that the establishment of structures for regional cooperation and the provision of technical assistance must be funded from the NDMC's budget. NDMC must have access to emergency funds in regional disasters; national departments that deal with regional and international relief efforts must also budget for humanitarian relief. At the provincial level, the Framework provides that arrangements for cooperation in disaster management must be made between provinces that border neighbouring countries (the Framework, section 1.4.4), with provincial disaster management centres' budgets making allocations for regional cooperation (*ibid*, section 7.4.1.3).

There are also examples of national disaster risk management laws which contain more detailed IDRL provisions. The National Disaster Risk Reduction and Management Act, 2016 of Mauritius (DRRM Act) provides two national bodies mandated to promote and foster regional and international cooperation in disaster risk reduction and management issues. The DRRM Act also provides that the Prime Minister may, where a disaster exceeds national capacities, seek international relief, which shall be coordinated as per international norms and principles. The DRRM Act also imposes international actors' obligations to abide by domestic laws and coordinate with domestic authorities. It further provides that humanitarian goods and equipment shall be exempt from customs and excise duty and taxes.

The Disaster Risk Management Act, 2012 of Namibia (DRM Act) also provides for a national agency responsible for "periodically reviewing policy issues regarding international appeals soliciting, the acceptance and the use of international assistance, including international personnel". Additionally, donations received in kind, materials and equipment to the National Disaster Fund during a disaster to facilitate disaster response from approved stakeholders are exempted from customs duty. Like Mauritius, the Prime Minister, in consultation with relevant ministries, is responsible for facilitating expeditious entry and operation of international relief personnel, goods and equipment. Section 54 of the DRM Act provides for cooperation agreements to be entered into force between the government and any entity or person within or outside Namibia regarding disaster risk management. Although the DRM Act does not provide details as to what facilities may be granted to such actors, it

does provide that the assistance given by such actors must be appropriate and compliant with domestic standards.

Some countries do not have dedicated disaster risk management legislation but have disaster risk management policies or plans which contain elements of IDRL. The Botswana National Disaster Risk Management Plan, 2009 (NDRMP) acknowledges that external assistance may be needed concerning certain disasters. Section 4.9 of the NDRMP provides that the Ministry of Foreign Affairs and Cooperation is responsible for developing procedures on international and regional assistance; acting as a liaison for all external involvement during disaster relief, recovery and rehabilitation; processing offers and requests for external disaster assistance; disseminating information to international partners, donors and governments on the disaster risk management needs and requirements; and maintaining guidelines on international disaster assistance.

In terms of procedure, the NDRMP provides that the Office of the President or the National Disaster Management Office should request assistance through the Ministry of Foreign Affairs and International Cooperation, with embassies being updated regularly on the disaster response and assistance needed (NDRMP, p. 47). According to NDRMP, mutual aid agreements should also be put in place to establish relationships between the government and private agencies involved in disaster risk management. Still, it does not specify whether this includes agreements with international assisting actors.

Another example is the Ethiopia National Policy and Strategy on Disaster Risk Management (2013) (the Policy), which in section 3.8, deals with international cooperation. Although the Policy does not provide for specific facilities to be granted to international assisting actors, it does recognize that an effective disaster risk management system requires collaboration with relevant sub-regional, regional and global organizations and other states – with relationships built around capacity building, response activities and information sharing. Therefore, the Policy provides that international cooperation will be strengthened based on laws, directives and agreements ratified by the country at the national, sub-regional, regional and international levels. It should also be noted that section 3.6 of the Policy provides that mobilizing resources from foreign governments and international organizations will be the responsibility of the coordination structure established at the Federal level, but that an appeal for mobilizing resources from external sources can be launched only when there is a proof that the requirement cannot be covered through available capacity in the country.

Recognizing the importance of IDRL, some countries are currently revising their disaster risk management frameworks to include comprehensive clauses on IDRL. For example, in Part IX, Malawi Draft Disaster Risk Management Bill contains provisions to regulate international cooperation and assistance, in line with the IDRL recommendations. Furthermore, this instrument is expected to be complemented by Operational Guidelines to implement best the Bill, including stipulations on international disaster risk management assistance. It is important to note that the international disaster assistance framework of a country is not limited to disaster risk management laws and policies. Other sectoral laws, such as tax laws, customs and excise laws, exchange control laws, immigration laws, company laws, and aviation laws, could also contain elements that facilitate international disaster assistance. In this regard, the cross-cutting nature of the facilities recommended for international assisting actors, including provisions that grant legal facilities in disaster risk management laws, may require the subsequent amendment of relevant sectoral laws to ensure cohesiveness.

Conclusion

The role of national legislation in building strong disaster governance and establishing a normative and institutional foundation for preparedness, response and recovery is undeniable. The transboundary nature of meteorological events and health emergencies experienced in Africa shows the need to design multilevel integrated frameworks to coordinate disaster response operations. Commendable efforts at the regional, sub-regional and national levels seem to lead to a harmonized course addressing humanitarian crises. While the approach to IDRL in national legal systems is diverse, there does appear to be a growing trend in the region. This implies that the African states are reviewing their disaster management frameworks to align with the Sendai Framework for Disaster Reduction priorities and include climate change adaptation aspects, following the commitments from the Paris Agreement. This normative evolution towards a holistic approach to disaster management is conducive to regulating the preparedness and response to medium- and large-scale emergencies. It presents an opportunity for IDRL provisions to be included in DRM laws to facilitate international assistance efficiently and effectively when domestic capacities are overwhelmed. Developing a regional model that promotes and regulates international assistance is a solid step towards consolidating a regional response mechanism that operationalizes the AFHA. RECs can play a significant role in providing technical guidance to member states in formulating cohesive legal frameworks to domesticate a model that unifies the management of disasters in Africa.

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MIGRATION FRAMEWORKS IN AFRICA

Nature, dynamics, and challenges

Alemu Asfaw Nigusie

Introduction

Migration has become a prominent issue in the international agenda in recent years due to the rise in its intensity and impact (actual/perceived) on national and international affairs. In 2019, the number of international migrants was estimated to have reached 272 million globally, constituting 3.5% of the global population. Out of this, over 21 million Africans are estimated to have lived in another African country in 2019 (IOM 2019, pp. 19, 54). Flahaux and De Haas (2016, p. 7) contend that the “total stocks of migration from Africa to the rest of the world and within Africa have increased between 1960, 1980 and 2000, while migration from the rest of the world to Africa has decreased in absolute numbers”. Nonetheless, as the data from UN DESA shows, the number of international migrants that Africa hosts has not been consistent across the three decades (1990–2019). Africa’s share of the global international migrant stock has not shown any meaningful change across the same period: 10% in 1990–95 before it dropped to 8% in 2000–10 and increased again to 9% in 2015–19, making its share to be 9.2% on average. Africa has also consistently been the fourth largest international migrants hosting region globally, following Europe, Asia, and North America.

When it comes to refugees, however, Africa’s global share is higher, constituting 8.1% in 1972, 26.9% in 1987, 32% in 1992, 47% in 1994, and 26% in 2016 (Bariagaber 1997; Crisp 2000; UNHCR 2017). When compared to its total population, the number of international migrants in the region is also relatively small, representing around 2.5% (in 1990), 2.3% (in 1995), 1.9% (in 2000), 1.7% (2005 and 2010), and 2% (2015 and 2019) of the population (IOM 2019, p. 24; UN DESA database).

Despite this, migration research in Africa has been a relatively marginalized field of study (Bilger and Kraler 2005, p. 6). A closer examination of the existing studies shows three important misassumptions about African migration: the misguided image and discourse that Africa is a “mobile continent” is the most striking element (IOM 2005, p. 33). Such an image of Africa is closely linked to Africa’s poverty and conflict in general (Flahaux and De Haas 2016), and historically about the conceptions of “traditional” land tenure and settlement patterns (Bilger and Kraler 2005, p. 10). Second, international migration from Africa is also wrongly understood as only Europe or the West. Finally, there is also “the implicit

assumption that African migration is “exceptional” and essentially different from migration elsewhere” (Flahaux and De Haas 2016, p. 2).

Contrary to these assumptions, this chapter argues that migration in Africa is not triggered only by poverty and conflict. Instead, there are a set of complex factors, including personal aspirations and global economic arrangements – that African migration is not only directed towards Europe; rather the majority of Africans are migrating within Africa. Europe, therefore, is not the only destination for African migrants outside of the continent. Instead, there are other important destinations, too, including the Americas, Asia, the Gulf, Canada, and Australia (Abebe 2010, p. 18; UNCTAD 2018, p. 43). As opposed to the assumptions that contemporary African states are “soft”, “weak”, “fragile”, or “collapsed” (Hyden 2006, p. 56), this chapter also recognizes the role of African states in the migration process (either by encouraging or discouraging). It argues that those poor African states are not only sending states but also important migration destinations.

Hence, I present a brief but holistic analysis of Africa’s migration context and migration frameworks by illuminating the key issues. Doing so examines how migration and migration policies have been understood and practised in Africa. To this end, policy documents, reports of relevant organizations, and other secondary data were utilized. The remainder of this chapter is organized into four sections. While the first section provides the context of migration in Africa, the second section deals with the relevant continental and regional migration regulating frameworks. This is followed by an examination of the limitations and challenges of these frameworks. Finally, a conclusion is presented with recommendations.

Migration in Africa: the context

Since ancient times, Africans have been migrating within and outside Africa, but the patterns and forms of migration have not been consistent across time. Africa witnessed well-documented migrations in the pre-colonial period, like the Bantu expansion, the trans-Saharan slave trade, and the trans-Atlantic slave trade (Bilger and Kraler 2005, pp. 8–9). People were migrating, searching for land due to socio-political imperatives (such as pilgrimages, internecine warfare, and slavery) (Adepoju 1995, p. 89). The colonial period witnessed the emergence of new forms of migration tied to the colonizers’ political economy imperatives, where labour migration was the common form of migration (Adepoju 1998). Similarly, migration was a male-dominated affair and served as an exit strategy, which indicated dissatisfaction (or revolt) with the colonial system (Bilger and Kraler 2005). Following independence, African states reconfigured their national territories, impacting people’s movement in the territory and paving new migration dynamics.

A complex mix of factors informs the contemporary migration in Africa, including the region’s development, peace, and security level. Among these, internal (political instability, social and economic crisis, drought and famine, and environmental degradation) and external (international asymmetric economic arrangements) (Akopari 1999) are the significant factors. Moreover, with the region’s increasing capability and aspirations, Africans are also migrating to a family reunion, study, and work (Abebe 2010; Flahaux and De Haas 2016). As to Abebe (2010), migrants’ economic status (poverty) is a good indicator of who migrates in Africa and is a strong deterrent of migration to developed countries. The number of women migrants who migrate for work, education, and other economic opportunities is also increasing in Africa; and currently constitutes approximately 47% of the total international migrants (UNCTAD 2018, p. 41, 59).

More to this, Africa is a source, destination, and transit for cross-border migration within and beyond it. Different forms of migration occur in Africa, which can be classified roughly as internal (intra-rural, rural-urban, urban-rural, and intra-urban) and international migration. Migration in Africa has voluntary and forced character and includes labour migration, seasonal/circular migration, refugees, asylum-seekers, and IDPs. It is also carried out via “regular” and “irregular” channels. Geography additionally plays a central role in the migration patterns in Africa. Except for North Africa, where migration is almost entirely directed to Europe (Lucas 2015), most Africans migrate within the continent and to their neighbouring countries and regions instead of a fraction of migrants outside of the continent (Flahaux and De Haas 2016, p. 11). The bulk of intra-Africa migration takes place within the regions. In this regard, Western, Southern, and Eastern African countries have been the most important sending and receiving countries in Africa (FAO 2019). Indeed, while migration in Western and Southern Africa is mainly prompted by economic motives, migration in intra-Eastern Africa is diversified. The migration occurs for economic reasons, political instability, and natural disasters (UNCTAD 2018, p. 62). The top five migrant destinations in Africa in 2019 were South Africa, Côte d’Ivoire, Uganda, Ethiopia, and Nigeria (IOM 2019, p. 57). Gabon, Algeria, and Morocco have also emerged as important destinations for migrants (Tsion 2017).

The migration patterns are also interlinked with the colonial legacy of arbitrary state border creations and African state formation in the post-independence era. As Höhne and Dereje (2013, p. 62) noted, despite their natural appearance on the map, state borders are socially and politically constructed and influence people’s behaviour in many dimensions. Such context has implications on patterns and channels of migration in Africa: (1) state boundaries are so much artificial that they have dissected similar ethnic groups and place them under the jurisdiction of multiple countries, but “movement is often not limited by [these] political boundaries” (AU 2018a, p. 16; also see, 2019a; 2019b). Thus, they prompt international migration among members of similar ethnic groups as almost “normal” affair; (2) pastoral way of life – pastoralist communities do not see and consider international boundaries, they therefore simply and frequently cross international borders in search of pasture and water for their animals; (3) cross-border economic ties (like trade) – thousands of people at the borderlands engage in constant cross-border trade regardless of the international border. These realities question the efficacy of such categorization as “regular”/“irregular” and “internal”/“international” migration in Africa.

Also, the demography of the African population shapes migration in Africa. The African region has been and remains dominantly rural, with around 60% of the total population residing in rural areas as of 2018 due to a relatively recent urbanization process in the region (FAO 2019, pp. 27–8). Despite its low economic growth, Africa has the fastest population growth, particularly the youth and the rural population. Africa’s total population is expected to reach around 2.5 billion, and the level of urbanization to increase to 56% in 2050 (UNCTAD 2018). The number of active working-age people who join the working force has been increasing and is expected to increase significantly. This increasing population, particularly among the youth and the densification of the rural space, is a fertile condition for continental and inter-continental migration in the coming years, as it puts pressure on the economy (on agriculture for rural people) to sustain these sections of the population (FAO 2019, pp. 27–8).

Likewise, besides high fertility rates and increased life expectancy, the increased international migration within Africa has also contributed to population growth at the national level, emphasizing national migration policies. This is particularly true in some countries, including Equatorial Guinea and South Africa. For instance, the share of international

migrants of Equatorial Guinea's total population increased from less than 1% in 2005 to nearly 17% in 2019 (IOM 2019, p. 56). In contrast, the share of international migrants was 14% in Gabon and Seychelles and 12% in Djibouti in 2017 (UNCTAD 2018, p. 44). Similarly, international migrants constituted around 2.8% of South Africa's population in 2005, but in 2019 it increased to 7% (IOM 2019).

Nature and scope of key migration frameworks in Africa

The regulation of migration has been at the centre of African statesmen's decision. Consequently, several migration policies, laws, and coordination mechanisms, influenced by internal and external circumstances, have been introduced in Africa. This section elucidates the key migration-related regulatory frameworks and their concomitant basic assumptions in Africa.

Continental level

According to IOM (2020, pp. 11–12), there are at least 28 migration-related treaties, conventions, protocols, and charters at the continental level in Africa. These frameworks deal with many migration issues ranging from creating regional economic communities and free movement to IDPs, refugees, human trafficking and smuggling, cross-border cooperation, trade, and remittances. Nonetheless, given the limited space in this chapter, only a few selected migration regulating frameworks are discussed below.

Africa's move towards regulating the movement of people in the continent started chronologically with the introduction of the 1969 *OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*. This refugee-oriented legal treaty was enacted when Africa was grappling with massive forced displacement of individuals across neighbouring countries due to social unrest, civil wars and liberation movements, external intervention, and natural disaster. This Convention expanded the definition of the term “refugee” to include individuals who flee persecutions (the focus of the Geneva Convention and its Protocol) and individuals fleeing due to generalized violence in their home state. This is because of civil war or any other related factor, practically enabling the *prima facie* refugee status determination rule to be applied in Africa.

The *Treaty Establishing the African Economic Community (Abuja Treaty)* came into existence in June 1991. The African Economic Community (AEC) treaty promotes a balanced, collective self-reliant, and sustainable economic development across Africa. To this end, it called for the consolidation of the existing regional economic communities (RECs), the establishment of new ones where they did not exist, and the gradual removal of obstacles to the free movement of persons and the right of residence and establishment. Regarding migration management, the relevance of this treaty lies in its push to establish a framework for the development, mobilization, and utilization of Africa's human and material resources and the recognition of free movement of people for development. Based on this treaty, AU's *Protocol on the free movement of persons, right of residence and right of establishment* and *African Continental Free Trade Area* were established in January 2018 and March 2018, respectively.

The AU adopted its comprehensive and integrated migration document, the *Migration Policy Framework for Africa (MPFA)*, first in 2006 (revised in 2018). The need to have such a framework on migration in Africa was premised on the existence of “unprecedented levels” of human migration both within and beyond the continent, which was triggered by deteriorating political, socio-economic, environmental conditions and rapid globalization.

Accordingly, the Framework identifies migration as “a major issue in the 21st century” and as a phenomenon that poses social, economic, and political challenges for Africa unless it is appropriately managed. The Framework recognizes the nexus between migration and development and urges member states to develop comprehensive policies on migration so that they could tap the “untapped potential” of migration.

To address the growing internal displacement in Africa, AU adopted its *Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)* in 2009. This Convention was influenced by the suffering and specific vulnerability and needs of IDPs, the gravity of the situation of IDPs in perpetuating instability and tension for African states, and the lack of a binding African and international legal and institutional framework on the prevention of internal displacement and the protection of and assistance to IDPs.

In the face of increasing irregular migration and the role of smugglers and traffickers, anti-human trafficking-oriented laws and campaigns have also been developed. The *AU Commission Initiative against Trafficking (AU.COMMIT) Campaign* is an example. This Campaign was a four-year plan designed to combat human trafficking and strengthen the existing works of the AU Commission and those under implementation at global, regional, and national levels in a more coordinated manner.

The free movement of workers and regulation of labour migration is the other aspect that the AU has given due attention. In collaboration with International Labour Organization (ILO), International Organization for Migration (IOM), and UN Economic Commission for Africa (ECA), the African Union Commission (AUC) initiated the *Joint Programme on Labour Migration Governance for Development and Integration* (or the Joint Labour Migration Programme – *JLMP*) in 2015. JLMP focuses on improving intra-African labour migration management and advancing regional integration and development in Africa. This would be achieved by addressing the core labour- and gender-related challenges that African countries face by promoting the intra-continental free movement of workers.

Finally, the JLMP was followed by additional initiatives that complement its priorities. *AU's Agenda 2063*, a continental development strategy that aims to integrate and politically unite Africa, promotes the free movement of people, capital, goods, and services. In the 2015 *Declaration on Migration*, AU member states agreed, for instance, to speed up the implementation of continent-wide visa-free regimes (including the issuance of visas on entry based on the principle of reciprocity), and expedite the implementation of the African passport. The AU passport was introduced in July 2016.

Regional level

The regulation of migration in Africa is also taking place at the regional level by the RECs to promote intra-regional economic integration. RECs have been relevant for migration within and between regions in developing frameworks that ease barriers to mobility and allow free movement of people and goods (FAO 2019, p. 31). Today, there are eight RECs recognized by the AU. All, save IGAD, the Community of Sahel-Saharan States (CEN-SAD), and Arab Maghreb Union (AMU), have developed protocols on the free movement of individuals among the member states. Economic Community of West African States (ECOWAS) *Protocol Relating to the Free Movement of Persons, Residence and Establishment* (1979), East African Community's (EAC) *Common Market Protocol* (became effective in 2010), Southern African Development Community's (SADC) *Protocol on the Facilitation of Movement of Persons* (2005), Common Market for Eastern and Southern Africa's (COMESA) *Protocol on the Free Movement of Persons, Labour, Services, Rights of Establishment and Residence* (2001), and

Economic Community of Central African States (ECCAS) *Treaty Establishing the Economic Community of Central African States – a Protocol on Freedom of Movement and Right of Establishment (Annex VII)* (1983) are cases in point.

Except for some differences in terms of duration of the phases of implementation of the protocols and institutional setup, those RECs with protocols have developed almost similar provisions about free movement, and the right of residence and establishment in their respective member states. Thus, member states have agreed to abolish obstacles to the free movement of persons, services, capital, and residence within the community; to ease cross-border movement of persons; to implement the protocols through phases; to cooperate in information sharing that is relevant to the effective implementation of the agreements; to allow individuals from other member states visa-free entry and exit, residence, and establishment; and to harmonize their labour and employment policies, laws, and programmes. Yet, member states still have the right to refuse admission to and expel from their territory. Individuals are also obliged to possess valid travel documents and health certificate to enter into a country.

That said, ECOWAS has adopted four supplementary protocols to facilitate the implementation of the original Protocol and meet its complete freedom of movement objective. To date, ECOWAS is said to have achieved the first two phases of the Protocol – the right of entry free of visa and the right of residence (Tsion 2017, p. 9). SADC's Protocol has provisions that allow member states to enter into bilateral agreements for visa exemptions, which some, like South Africa, Namibia, and Botswana, are doing (UNCTAD 2018, pp. 52–6). COMESA, on its part, created supporting institutional structures, like the National Monitoring Committees (NMCs) and other vital focal points, to facilitate its protocol implementation.

Regarding RECs without a protocol, the Intergovernmental Authority on Development (IGAD) has adopted its *Regional Migration Policy Framework* in July 2012, the first of its kind to be adopted in Africa at the regional level. The Framework is a non-binding document and covers and provides recommendation on various migration issues. It provides the necessary guidelines and principles for the formulation of national migration policy frameworks. The Framework also has relevant institutional and collaboration to assist its successful implementation, monitoring, and evaluation process. Finally, CEN-SAD and AMU have also identified the free movement of people and the right of residence and establishment, and the removal of the concomitant hindrances as one of the fundamental objectives to be achieved in their respective regional blocks (AU, CEN-SAD; AMU 1989).

The external dimensions: Africa's partnership with the EU

Africa has also established relationships with the EU on migration management, a partnership prompted by the latter's securitization and externalization of the migration agenda. Since the 1980s, the European Union (EU) and its member states have followed negative migration discourse. They introduced migration policies that discourage the arrival of immigrants and asylum-seekers (Crisp 2000, p. 6), mainly because the number of asylum-seekers who entered via illegal methods and illegal immigration was assumed to be increasing. Accordingly, immigrants, asylum-seekers, and refugees were viewed as a security problem (Huysmans 2000, pp. 755–6). The economic crisis of 2008 and the so-called “summer of migration” of 2015 exacerbated this closed and even xenophobic attitude further, as it “put the issue of forced displacement and immigration centre-stage in political and societal discussions in Europe” (Bank and Fröhlich 2018, p. 9). Fear of being flooded with migrant populations and the resultant socio-cultural and security threats have alarmed the EU to the

extent of provoking intolerant practices spearheaded by far-right-wing political forces. This can be exemplified by United Kingdom's exit (Brexit) from the EU, and the 2017 French presidential election contest between Le Pen and Macron. The refusal of Italy and Malta in June 2018 to admit the famous Aquarius ship with its 629 migrants exhibits the height of unwelcoming European policy.

To address this "problem", the EU responded by developing an external migration policy in 2005, the *Global Approach to Migration and Mobility (GAMM)*, which is embedded in its foreign policy (EU 2015, p. 6). Within this policy framework, the EU focused on establishing a partnership with Africa at bilateral, regional, and continental levels, with the overall objective of "addressing the root causes of irregular migration and forced displacement" (Markussen 2018, p. 9).

As a result, a few joint summits were conducted and agreements produced, including Cairo Action Plan (2000), Rabat Process (2006, EU and western migratory route African countries), the Joint Africa-EU Declaration on Migration (2006), Ouagadougou Action Plan to Combat Trafficking in Human Beings Especially Women and Children (2006), the Joint Africa-EU Partnership on Migration, Mobility and Employment (Tripoli Process 2007), Khartoum Process (2014, EU and eastern migratory route African countries), Valletta Action Plan (2015), the Sahel Regional Action Plan (2015), the EU-Horn of Africa Regional Action Plan (2015), and the AU-EU Abidjan Political Declaration (2017) (EU 2015, pp. 1–4; Markussen 2018, p. 9). At the bilateral level, EU and African countries have signed Mobility Partnerships (MP) and Common Agenda on Migration and Mobility (CAMM) (EU 2015, p. 4).

Thus, these Africa-EU relations have been primarily about stemming the flow of migrants from Africa into European shores, paying attention to such issues as legal migration, free intra-African movement of labour, strong border control and management, the return of African migrants from Europe, combatting irregular migration, smuggling and human trafficking, and development and the creation of jobs. Moreover, as part of these dialogues on migration, the EU has pledged to provide development aid and invest in that source and transit African countries (Le Coz and Pietropolli 2020).

Limitations, challenges, and implications of the migration frameworks

There are fundamental limitations with the migration policymaking in Africa that pose a significant challenge to implementing migration-related regulating frameworks. To begin with, the impact of colonial legacy and its concomitant porous borders is one key challenge that hinders the ability and ambition of African states to control their borders effectively and manage migration flows across international borders. In Africa, people's movement has not been following colonial borders. Rather, it follows local and regional historical cross-border movements that were not governed by any policy and law before colonialism (IOM 2020, p. 3), making the "the potential to maintain any semblance of border control over most of the land boundaries is unthinkable" (Lucas 2015, p. 1453). Moreover, it has become difficult to distinguish between internal and international migration in Africa due to the colonial legacy on state borders (Adepoju 1998).

Despite the existence of a few policies that reflect African realities and interests (like laws on refugees, IDPs, and economic integration), migration frameworks in Africa are largely donor-driven, not based on the realities and aspirations of Africans. This has led to the production and media coverage of migration policies that concern funders (IOM 2020, p. 5). The partnership between Africa and the EU is a case in point. This partnership has focused

on addressing the root causes of migration from Africa to Europe, which is negligible numerically compared to the volume of intra-Africa migration.

However, the Africa-EU partnership has far-reaching consequences and implications on migration policymaking in Africa. First, funders take centre stage in shaping the migration agendas and knowledge production and dissemination, not Africans. For instance, the so-called irregular migration and its attendant problems have been over-emphasized in Africa, distracting Africans from focusing on how to harness the potential opportunities of cross-border migration that existed for centuries (IOM 2020, p. 5).

Second, the EU's tendency to securitize migration seems to be replicated in Africa, as Eurocentric approaches dominate migration policymaking. Like the Europeans, contrary to the continental and regional migration frameworks, migration has been viewed as a problem, not an integral part of African life. States view irregular migration and asylum-seekers as a potential threat to national security, and tighter border control and strict immigration policies have become the focus of African states (AU 2018b; IOM 2020). The securitization of borders in the Sahel is a good example. Measures are based on European security imperatives, not based on the nature of trans-Saharan migration and trade that existed for centuries (IOM 2020).

Third, the EU's narrative of economic migration ignores the deep political economy problems that trigger people to leave their country in the first place. EU's narrative ignores how lack of democracy and good governance, favouritism, dictatorship and repression, and neoliberal economic system triggers international youth migration. The EU also does not "indulge in criticizing the political malice and political repression in the partner countries" (Bezabeh 2017, p. 7). At last, EU's developmental support (financial, military, and diplomatic) to the source and transit African states sustains their grip on power indirectly, aggravates the regional situation, and places more migrants in harm's way by neglecting the domestic politics at the source and transit (Bezabeh 2017).

In addition to these underlying problems, there are limitations in implementing the migration frameworks. Although the policies and protocols that the African Union and RECs have introduced are fairly progressive, there is a clear gap between what is stated and practised. Although states have started to view migration as an important factor to facilitate development, are attempting to mainstream migration in the national development plans and formulate laws and institutions to address it, the focus is mainly on the Diaspora community and their remittance. Thus, well-organized comprehensive migration laws, policies, and coordination plans are still lacking. For instance, the domestication of AU's migration policy framework, which calls for an inclusive approach and the engagement of all relevant government ministries in the formulation and implementation of migration policy, is not taking place at the national level as expected (Le Coz and Pietropolli 2020). Accordingly, only a few states have policy frameworks and entered into implementation at the moment. Of course, this problem is partly related to the lack of ample resources, capacities, and strong coordination and information sharing among the stakeholders and across states, which hinders the collection of timely and relevant data for making informed policy decisions (IOM 2020, p. 6).

Regional integration agendas in Africa have progressed slowly and negatively, impacting free movement, and the right of residence and establishment, which are additionally poorly enforced besides remaining state-controlled affair (FAO 2019, p. 31). Most of the RECs, save EAC and ECOWAS, have been lagging in taking concrete steps to achieve the agreements on free movement protocols. The rate of ratification of the protocols has been highly uneven across the regional blocks, too. While all members of EAC and ECOWAS have ratified their

respective protocols, only two members have ratified, and four member states have signed COMESA's protocol. ECOWAS (followed by EAC, IGAD, and SADC) is by far better positioned to respect the entry and visa requirements for fellow regional economic community nationals. While ECOWAS citizens are not required a visa for entry in another member state, half of ECCAS members require an entry visa and the offer of visa on arrival is almost inexistent. Apart from the progress made in EAC and ECOWAS, there is also a lack of mutual recognition of skills and certificates in most RECs.

Protocols on free movement, and the right of residence and establishment usually focus exclusively on high skilled migrants, not on low- and semi-skilled migrants (UNCTAD 2018, p. 56). Differences in the level of economic development among states have affected the implementation of regional protocols and led to the proliferation of bilateral agreements (like the SADC region) and the decline of a regional approach in importance (Development and Peace Foundation 2016, p. 28). Lastly, corruption and harassment are also a common challenge at borders in regional blocks implementing the protocols (AU 2018, p. 21).

African states have adopted restrictive and selective national laws and policies *vis-à-vis* migration and failed to promote the free movement of people (IOM 2020, p. 6). This is particularly true during periods of political turmoil and economic crisis. For instance, the migration policy of South Africa appears to be linked to domestic political dynamics. Heleta's (2018) piece, "*Xenophobia and party politics in South Africa*", illustrates how "foreigners are blamed for many of South Africa's woes and social ills". Politicians use anti-immigrant, xenophobic, and Afrophobic rhetoric to fuel aggression and attack against fellow African immigrants in South Africa to win voters.

Restrictive and selective national migration policies also have implications on migration routes and the security of migrants. As Castles (2014, p. 191) argues, besides other factors, migration policies might encourage irregular migration and contribute to human insecurity. To Castles, despite the high demand for low-skilled migrants, countries are interested in the legal immigration of high-skilled migrants (like in the fields of medicine and technology). This has motivated several low-skilled migrants to search for irregular migration routes by exposing themselves to various forms of abuses at the hands of traffickers and smugglers and even deportation by states. Also, such migration policies affect the character of migration, not the overall volumes of migration (Tsion 2017).

There is also overlapping and multiplicity of membership of countries in the different RECs and in the AU-EU migration frameworks, which hampers the effective implementation of laws and policies and causes resource wastage and coordination problems. For instance, all ECOWAS members are also members of CEN-SAD. Some IGAD members are also members of COMESA, EAC, and CEN-SAD. Several members of SADC are also members of COMESA, and some members of AMU are also members of CEN-SAD. Similarly, several African countries are simultaneously members of the Rabat, Tripoli, and Khartoum processes (Tsion 2017, p. 20).

Concluding remarks

The continental and regional migration laws and policy frameworks are commendable moves by Africans. They liberalize the migration regime and border management in Africa and facilitate regional integration and economic development through better labour, capital, and services. However, there is an unbalanced focus and implementation of these frameworks among African states. The economic inequality and difference in the level of economic development among states in Africa is also a significant issue, as it hinders the full

realization of these innovative ideas. Moreover, migration policies are inconsistent that states adopt at national level and enact at regional and continental levels. In short, these challenges might entail the lack of linkages between the existing migration frameworks and the interest of Africans on the ground. Thus, there is an urgent need to understand the phenomenon of migration in Africa in its entirety. The context, potentials, and predicaments for the sending and receiving states and the individuals who are part of the process. There is a need to address inter-state economic difference and balance issues of national interests. Migration should be seen as an integral part of Africans, and migration frameworks should be developed accordingly.

Most importantly, there is an urgent need for ownership of the migration discourse, knowledge production, and dissemination by Africans themselves, not external actors. Only when this ownership issue happens in Africa can Africans truly address the migration issue in the continent. These should include formulating appropriate, context-based, and relevant mechanisms to manage migration to benefit participating individuals and states. This ownership also facilitates creating a full-fledged and strong coordination of migration mechanism among the diverse stakeholders horizontally and vertically across the continental, regional, and national levels.

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EVOLUTION OF TRADE POLICY AND REGIONAL INTEGRATION IN AFRICA

Stephen Karangizi and Haruperi Mumbengegwi

Introduction

The recognition of the benefits of the international exchange of goods and services is often juxtaposed against various concerns about the impact thereof on local industries. From the dawn of African independence to the Extraordinary Summit on the African Continental Free Trade Area (AfCFTA) of 2018 in Kigali, Rwanda, there have been conflicting views on the approach to regional trade and integration. It has been a common cause that regionalism is essential, but the modalities and implementation thereof remain a challenge. Post-colonial Africa saw the advent of several cross-border arrangements that have continued to exist and serve the regional integration agenda thus far. The post-colonial commitment to regionalism was an integral part of the broader aspiration resulting in the establishment of the Organisation of African Unity (OAU) in 1963, which later transformed into the African Union (AU) in 2002 (UN Economic Commission for Africa, African Union and African Development Bank 2010, p. 7). As one of the first steps by an independent Africa to foster cooperation among states, it strengthened the movement towards the ideal of a Pan-African political and economic union.

While the OAU Charter referred to regionalism, this was detailed in the Lagos Plan of Action (LPA) of 1980. It called for the formation of an African common market by the year 2000. The LPA introduced the notion that regional integration initiatives would progressively converge towards a single Pan-African arrangement (UN Economic Commission for Africa, the African Union and African Development Bank 2010, p. 309). This was the key feature of the Abuja Treaty establishing the African Economic Community (AEC) of 1991. The Abuja Treaty introduced the notion of Regional Economic Communities (RECs), which would be the building blocks of the AEC. The Treaty was not prescriptive in setting out the membership composition of the RECs. However, it did indicate that the RECs would cover North, West, Central, Eastern and Southern Africa. This ultimately led to the designation of the Arab Maghreb Union (AMU), the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), Common Market for Eastern and Southern Africa (COMESA) and the Southern Africa Development Community (SADC) as RECs.

Historically the design and implementation of integration initiatives had the effect of constraining rather than promoting intra-regional trade. This was because of several challenges discussed in this chapter, including decision-making arrangements, overlapping and sometimes conflicting memberships. There is also a lack of regional level monitoring, implementation and a reluctance of sovereign states to cede authority to the regional bodies, leading to the lack of resources and power for regional secretariats (Oyejide 2000). This chapter mainly maps the evolution of the regional trade and integration agenda from establishing RECs as public institutions. In the first section of this chapter, the processes for developing a public policy are analysed by assessing the public sector institutions involved in developing trade and integration policy. The relationship between trade policy and integration requires cooperation between competing authorities. Also, the historical challenges against complementarity in favour of competition between RECs and national interests will be discussed. The cooperation challenges of SADC and COMESA will be analysed to illustrate the potential negative impact of multiple memberships on RECs. The second section discusses the impact of GATTs and the membership of the WTO on African countries. The application of Article XXIV and the notable exceptions will be analysed within the EPAs context to assess whether this ultimately encourages regional integration.

The penultimate section of this chapter looks at the AfCFTA and whether this can address the historical challenges and limitations of public policy in influencing trade policy and regional integration. We conclude that even in the advent of the AfCFTA, various challenges remain. Public sector institutions responsible for regional trade and integration need to foster complementarity in economic structures, national policies and private sector stakeholder consultation to formulate reflective trade policies and improve Africa's regional trade and integration efficiency.

The development of public policy within the context of regional trade and integration

At its core, regional integration in Africa is rooted in the colonial legacy that resulted in geographically artificial states consisting of arbitrary borders. Public sector institutions have faced the political challenges of preserving sovereign borders while implementing policies reflective of the need to re-integrate post-colonial Africa. The rapidly changing global economy structure requires Africa to integrate to ensure its economic competitiveness and survival. The relatively small size of the typical African economy coupled with smaller populations' constrained rapid economic growth. Furthermore, relatively low per capita income restricts the ability to benefit from lower unit costs that could arise from exploiting economies of scale generated by the increased competition associated with larger markets (Ncube et al. 2015).

Against this background, regional integration is the logical way of producing lower unit costs in a larger regional market. This means that, in principle, regional integration should widen the size of the market through the facilitation of trade. Regional integration is a multidimensional phenomenon that involves international trade and investment flows, infrastructure, connectivity, free movement of people, technologies and knowledge. However, a key challenge of realising regional integration in Africa was whether successful trade should precede successful integration.

Throughout Africa, supranational institutions in the form of RECs were mandated to oversee regional integration. However, the viability and effectiveness of regional integration are fundamentally determined by the member countries' internal strengths and weaknesses.

Notably, the extent to which each member state is prepared to meet its obligations to its respective institutions is of great importance. The mandate of supranational institutions assumes that member countries would first have the capacity and, second, the inherent disposition to fulfil their obligations.

Furthermore, the absence of sanctions or an incentive mechanism renders the regional trade integration agenda difficult to enforce and encourage. The benefits of regional integration depend on implementing complementary policies at the domestic level, favouring general macroeconomic stability, investment in trade-enabling infrastructure and good governance. However, the lasting benefits of committing to integration accrue in the long term. Yet, the costs are felt in the short term particularly through reduced fiscal revenues from diminished trade taxes (Ncube et al. 2015). Therefore, national-level constraints and challenges are subject to the political will and organisation within government.

On a domestic level, governments must harmonise their foreign policy and international trade agendas. Historically, foreign policy, including the national agenda about regional integration, would be the Ministry of Foreign Affairs (or its equivalent). Conversely, international trade would be the purview of the Ministry of Trade and/or Economic Planning. The challenge emerges is that there are different drivers for a complementary agenda, even on a domestic level.

On a regional level, the conflict can be seen where different institutions have different mandates that should be complementary. SADC has used its mandate to foster regional integration and address infrastructure constraints, whereas COMESA has emphasised the harmonisation of standards and customs procedures and the enablement of trade (Khandelwal 2004). This is because SADC would primarily be engaging with ministries of foreign affairs, whereas COMESA would refer to ministries of trade, finance and economic planning. This also creates challenges when the public policy on a regional level requires domestication to be fully effective. Therefore, the domestic disconnect is elevated to a regional disconnect that hinders the progress of both trade and integration.

One of the constraints to seamless regional trade has been multiple and overlapping memberships which created trade inconsistencies among regional blocs (see Figure 49.1). An example of this inconsistency can be illustrated where countries hold membership of both COMESA and SADC. SADC has 16 member states, of which nine countries also belong to COMESA, which has a total membership of 20 states. SADC's ambitious agenda envisioned that it would be a Free Trade Area (FTA) by 2012. COMESA's agenda envisioned that it would have attained an FTA by 1999 and a customs union status by 2004. Furthermore, the two RECs fundamentally differed as the COMESA FTA covered all trade, whereas the SADC's mandate was based on negotiated tariff lines.

To use Zambia to illustrate the challenges faced by the dual membership of both SADC and COMESA, under the SADC Trade Protocol, Zambia agreed to dismantle tariffs for SADC members to zero. Therefore, since South Africa is a SADC member, Zambia had agreed to remove tariffs to South Africa to zero. Conversely, Zambia being a member of the COMESA Customs Union had agreed to a common external tariff regime for countries that are not members of the COMESA. Since South Africa is not a member of the COMESA, this did not apply to South Africa. This would translate into the fact that Zambia had agreed to reduce tariffs for South Africa in compliance with SADC provisions yet maintain tariffs for South Africa in compliance with COMESA provisions (Saurombe 2013). This scenario leaves Zambia in a conundrum.

Another example to be considered is the conflict caused by the applicable rules of origin regimes. This conflict is apparent in the COMESA regime, where Egypt applies a 45% value

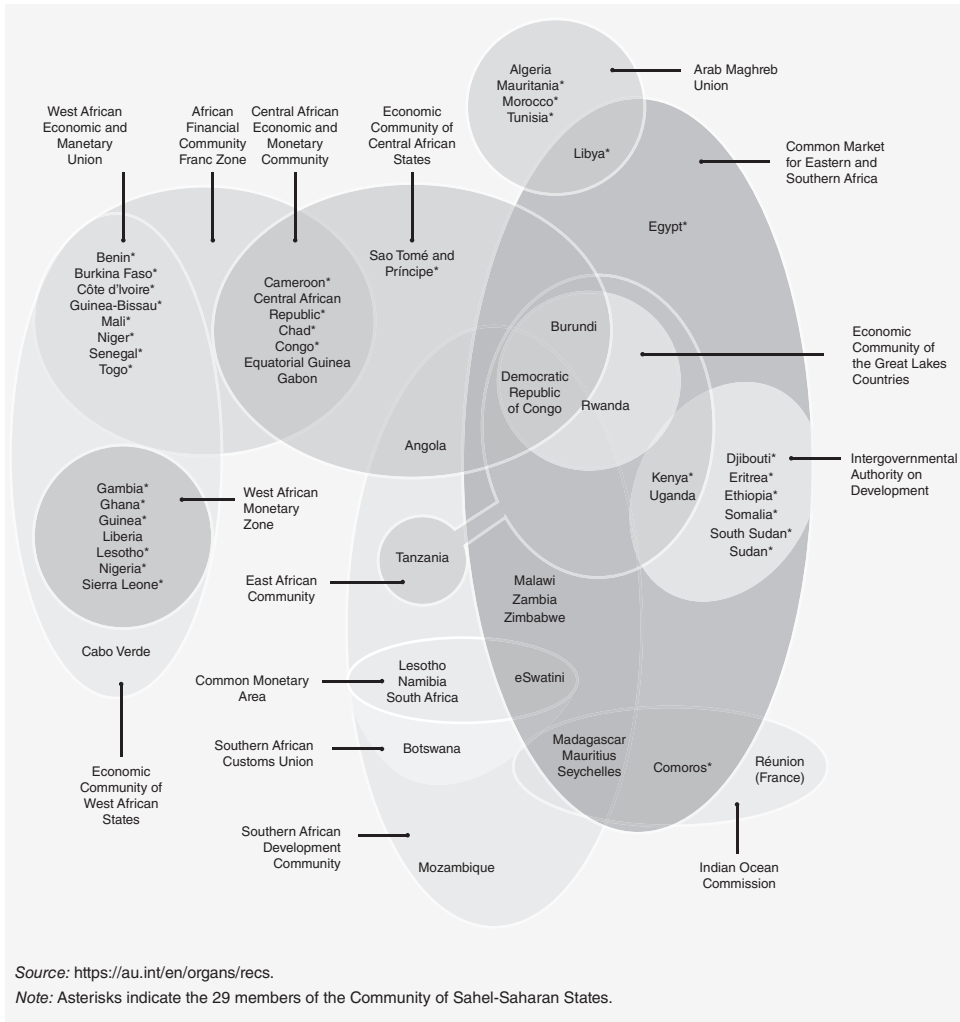


Figure 49.1 African Economic Outlook 2019

Source: OECD/AfDB (2019, p. 77).

addition rule of origin instead of 35% by other countries. Furthermore, Zimbabwe was also granted a dispensation which lowered the value-added threshold for determining origin under the value-added criterion from 35% to 25% for selected products (Saurombe 2013).

The challenges of implementing the competing provisions for states with dual memberships resulted in establishing the Tripartite FTA Arrangement between SADC, COMESA and the EAC (Saurombe 2013, p. 117). The COMESA-EAC-SADC Tripartite Free Trade Area (TFTA) launch in June 2015 ushered in a new institutional approach towards intra-African trade and integration. The TFTA was discussed, negotiated and initialled in 2010. It brought 26 countries under a common FTA, which was close to half the continent. It did not create a new international organisation with a legal personality but rather intended to align the participating RECs' agendas based on building on the *acquis*, which means building on what has been already achieved or agreed.

The challenges of regional integration can also be viewed by analysing the Economic Community of Central African States (ECCAS) established in 1985 by ten founding states – namely, Burundi, Cameroon, Central African Republic, Chad, the Democratic Republic of the Congo, the Republic of the Congo, Equatorial Guinea, Gabon, Rwanda, Sao Tome and principle – while Angola joined in 1999. Due to instability in the region, ECCAS was dormant from 1992 to 1999 when the initial protocol on relations between the AU and RECs was signed. Similarly to the challenges already discussed with other regional institutions, ECCAS member states held multiple memberships resulting in conflicting policies. Most ECCAS members are also members of the Central African Economic and Monetary Community (CEMAC) and Economic Community of the Great Lakes Countries (CEPGL). Angola and the Democratic Republic of Congo are members of ECCAS and SADC; Burundi and Rwanda are members of ECCAS, CEPGL and the EAC. The overlapping memberships mean that there is limited scope for the ECCAS states to harmonise their REC policies.

Furthermore, despite ECCAS being the largest regional institution in Central Africa, CEMAC has advanced further towards regional integration. It has established effective mechanisms such as coordinated and preferential trade reforms, a common currency zone known as the *Communauté Financière de l'Afrique (CFA)*, a regional central bank, and a regional development bank. However, CEMAC is not recognised as a REC (Can and Maigari 2019).

ECOWAS¹ has not been an exception to the challenges of regional integration. It was established in 1975 through the Lagos Treaty. The region is divided between francophone (7), anglophone (6) and lusophone countries (2). These countries' colonial legacies translate into various institutional and legal differences (Karakı and Verhaeghe 2017). A key component of the Treaty establishing ECOWAS was the ECOWAS Trade Liberalization Scheme (ELTS). The ELTS envisioned the free movement of transport, goods and persons within ECOWAS, including removing all tariff and non-tariff barriers to trade. At inception, it benefited exclusively from trade in agricultural, artisanal and raw materials. In 1990, the scope of the programme was expanded to include industrial products. However, the WTO's analysis suggests that the implementation of the ELTS has been limited in practical terms.

The harmonisation of ECOWAS policy and national policy to ensure the complete elimination of actual tariff and non-tariff barriers remained a challenge (OECD and WTO Aid for Trade Case Story: ECOWAS).

At the most rudimentary level, the regional integration model operates under the assumption that eliminating all barriers to trade within the integrated regions can be achieved. There will be a complete reduction in intra-regional transaction costs (Oyejide 2000). This implies that regional integration should bring about intra-regional trade and accelerate the integrated area's economic growth by liberalising trade and associated activities within the region. However, to achieve this, the public sector institutions both domestically and regionally need to harmonise efforts and policy and accept to be bound by new rules set under a regional agreement. Arguably, this has been done through the AfCFTA, which became operational on 7 July 2019 based on the lessons learned through the various RECs' experiences. But the challenges that remain shall be discussed in the third section of this chapter.

The impact of international trade arrangements on regional integration

African countries have had an ambivalent relationship with the World Trade Organization (WTO). The underlying principle governing the multilateral trading system of the WTO is the obligation to conduct international trade in a non-discriminatory manner.² The benefits

of trade and the need for international agreements that govern trade rules are undisputed. There is also consensus that it is ultimately beneficial to have economies of scale of negotiating these agreements at the multilateral level. However, when the WTO was established, many African countries signed agreements without fully appreciating the potential impact (Mshomba 2009).

Furthermore, WTO coverage increasingly had a direct and broader impact on Africa's trade policies, thus reducing domestic policy autonomy (Mshomba 2009). Another challenge is the diversity of African interests applicable to different countries. Despite African countries placing great emphasis on the continent's unity, their interests vary and sometimes conflict with each other (Mshomba 2009).

WTO members must grant immediate and unconditional most-favoured-nation (MFN) treatment to other members' products concerning tariffs and other trade matters. However, FTAs are, *prima facie*, inconsistent with this obligation. They are designed to grant countries that are party to the respective FTA more favourable trade benefits than those extended to other trading partners. There is a prevailing view that such FTAs are trade-enhancing as opposed to barriers to trade. For this reason, Article XXIV of the General Agreement on Tariffs and Trade, 1947 (GATT) contains a specific exception for FTAs. This is enshrined in paragraph 4, which sets out how regional integration and the multilateral trading system can be reconciled. The objectives of FTAs should be to "...facilitate trade between the constituent territories and not to raise barriers to the trade of other contracting parties with such territories" (General Agreement on Tariffs and Trade 1994). The principle behind WTO's rules on FTAs is that trade arrangements should be designed to maximise trade creation and minimise trade diversion.

In compliance with Article XXIV, FTAs must meet four requirements: (1) duties and other restrictive commercial regulations must be eliminated; (2) substantially all trade must be covered; (3) external tariffs and commercial regulations – that is, measures applicable to nonparties – may not be higher or more restrictive than those in effect before the FTA or interim agreement was formed and (4) interim agreements must contain a plan and schedule to achieve these goals within a reasonable period (General Agreement on Tariffs and Trade 1994). The challenges in applying Article XXIV for African states and developing states more generally demonstrated through the Economic Partnership Agreements (EPAs) with the European Union. The EPAs culminated in a series of agreements among the African, Caribbean and Pacific (ACP) countries and the EU. Upon the signature of the Treaty of Rome in 1957, the European Communities rapidly established preferential relations with the ACPs that had recently gained independence. The first agreement between the ACP and the EU was signed in 1976, and since then, every five years. The EPAs embodied more favourable market access for the benefit of ACP countries, lower custom tariffs on goods to the EU markets and special protocols on several commodities (Lang 2006).

At face value, such favourable treatment contradicts the WTO basic principle of MFN treatment, which is at the core of the WTO system, as discussed above. The majority of the ACP countries are WTO members, and therefore WTO principles apply both to them and the EU. Two categories can receive preferential treatment under the WTO rules: the Developing Countries and the Least Developed Countries (LDCs). These categories include non-ACP countries; therefore, this could not be used to grant preferential treatment limited to the group of ACP countries. The EU would have been required to extend the same preferences to all other developing countries at the same development level as the ACP (Lang 2006). One of the reasons why the EPAs were not concluded for the many ACP States was the expectation that in the case of LDCs, they would continue to access the EU market

from the unilateral duty-free access to all products under the “Everything But Arms” (EBA) initiative of 2000.

The EU and ACPs obtained a waiver in 2001 at the Doha Ministerial Conference (Lang 2006). The impact of the EU’s aggressive implementation of EPAs can be seen as a catalyst for the United States of America (US) to seek preferential trade policies with the African continent through the African Growth and Opportunity Act (AGOA). It is a United States Trade Act, enacted on 18 May 2000 and has since been renewed to 2025. The legislation enhances market access to the US for qualifying sub-Saharan African countries. AGOA is a unilateral preferential trade policy instead of a free trade agreement and reduces tariffs for certain products to the countries that sign the agreement. While the tariffs are not necessarily eliminated, they are lower than countries, not parties to the agreement. AGOA can be seen in direct competition for African markets and resources with the EPAs in many ways. Moreover, the last decade has seen China, India and Russia’s influence on African trade increase. The challenge with the world’s leading powers competing for African markets is that Africa’s objectives as a whole become secondary to the economic objective of the leading powers.

It was argued that the principles governing the EPA negotiations would lead to the trade displacement that was already taking place in the RECs. EPAs arguably pose a significant challenge to the ability of African countries to raise inter- and intra-REC trade by limiting trade between African countries within the same EPA (Perez and Karungi 2007). Although the EPAs should have promoted regional integration by design, it is questionable whether this was the overall outcome. In reality, individual countries and groups enter into agreements with the EU with little or coordination with the rest of the membership. Both the EU and US primary objectives for the EPAs and AGOA simplify and enhance access to markets.

Moreover, many African countries had limited capacity to add value to their commodities and ensure beneficiation before export. Another key challenge for African countries to access developed countries markets has always been the stringent minimum standards required for exports. The threshold is often too high for African economies to benefit from these arrangements fully. Consequently, the impact of contradictions and differences between African countries and applying different rules applied to different EPAs and agreements under AGOA on regional integration efforts were not a priority. The African continent required a more robust and comprehensive approach to both trade and integration.

The African continental free trade area

Three broad trade regimes in Africa are set out in this chapter. The first consists of preferential agreements between individual African countries and countries outside the continent. These include agreements such as AGOA. Second, there are regional trade agreements between African countries and regions outside Africa. This category includes the European Union’s EPAs that has negotiated trade agreements with various African countries and RECs on the continent. The third regime, and most important for regional integration, consists of intra-African trade agreements.

In 2012, the 54 member states of the AU agreed to establish the Continental Free Trade Area (AfCFTA) by 2017 in pursuit of enhancing the third regime outlined above. It came into force on 7 July 2019, and by the end of January 2020, 54 (of 55) member countries of the AU had signed the AfCFTA agreement. The AfCFTA is the first agreement to bring together all 55 African countries under a single FTA. The AfCFTA has eight core objective as follows: (1) creating a single market for goods and services, facilitated by the movement of people; (2) contributing to the movement of capital and people and facilitating investment; (3) creating a continental customs

union; (4) expanding intra-African trade; (5) resolving the challenges of overlapping memberships in REAs; (6) promoting sustainable and inclusive economic development; (7) boosting industrial development and (8) enhancing competitiveness (Abrego et al. 2020).

Building on the TFTA between COMESA, SADC and the EAC, the intention is to bridge regional divisions by building on the regional policies and strengthening trade among the various RECs to incorporate all African economic blocs' standardised rules and regulations. It consists of a framework agreement establishing the AfCFTA, the Protocol on Trade in Goods and Trade in Services, and the Protocol on Rules and Procedures on the Settlement of Disputes.

The challenge of overlapping membership and the traditional tendency by governments to select where to show commitment remains. The AfCFTA recognises the eight AU-mandated RECs as the building blocks for the AfCFTA process. However, similarly to the TFTA, which did not create a new legal entity per se, the AfCFTA is based on preserving the REC *acquis*. The REC *acquis* states, "The CFTA shall build on and improve upon the *acquis* of the existing REC FTAs and shall not reverse or be inconsistent with the *Acquis* of the Union including but not limited to the Constitutive Act, the Abuja Treaty and other relevant legal instruments of the Union."

The AfCFTA is structured into an FTA encompassing the existing RECs instead of consolidating them into one new FTA, which should not dismantle the RECs. The immediate short-term concerns pertain to significant tariff revenue losses, as already mentioned in this chapter. This concern was coupled with the uneven distribution of costs and benefits. Countries with large productive capacities in manufacturing may experience significant economic growth while small economies potentially faced substantial fiscal revenue losses and threats to local industries.

The success of the AfCFTA depends on the interplay between several factors. However, the core issues remain about the rules of origin and non-tariff barriers (NTB). Rules of origin are an essential element for implementing the AfCFTA and consist of the clear criteria needed to determine the nationality of a product. Rules of origin cover laws, regulations and administrative determinations of general application applied by the governments of importing countries to determine the country of origin of goods. They are important in implementing trade policy instruments, such as anti-dumping and countervailing duties, origin marking and safeguard measures (UNCTAD 2019; Economic Development in Africa Report 2019: Made in Africa – Rules of Origin for Enhanced Intra-African Trade). Rules of origin shape the space in which regional value chains will operate.

To use a practical example, the rules of origin will address concerns such as whether a dress made from Chinese silk, designed and stitched in China, but packaged in one of the member states is eligible to receive AfCFTA preferential tariff rates. Moreover, whether this changes if it is made of imported Chinese silk but stitched together in a member state. The key concern is that the weaker the rules of origin, the easier it is for non-AfCFTA countries to benefit from this African trade agreement by dumping goods. Conversely, the stricter the rules, the more difficult it will be for local companies, especially SMEs, which make up a large proportion of industry in Africa, to meet the value-addition threshold and thus receive AfCFTA tariff preferences.

The AfCFTA needs to harmonise origin rules with full appreciation that Africa's RECs have taken different approaches to rules of origin. As previously mentioned, COMESA applies a general rule requiring that 35% of value addition on all products must occur within a COMESA country. SADC, however, has product-specific rules of origin. These rules are expected to stay in place for intra-REC trade. This exemplifies one of the core challenges

that can affect competitiveness. However, the AfCFTA must build upon the rules already in the RECs to a greater extent. Failure to do so could disrupt supply chains, add to transaction costs and diminish competitiveness (Obeng-Odoom 2020).

Non-tariff barriers cover a wide range of restrictive practices that reduce the ease of doing business and trading. These include, among other things, customs clearance delays, restrictive licencing processes, certification challenges, uncoordinated transport-related regulations, poor infrastructure and corruption. By their very nature, the removal of NTBs requires strong political will from each state. The reforms required are typically at a domestic level as opposed to a regional level.

The mechanism for reducing NTBs is stipulated in Annex 5 of the AfCFTA agreement. It envisages the creation of institutional structures to eliminate NTBs, a general categorisation of NTBs, reporting and monitoring tools, and facilitation of resolution of identified NTBs. Signatories are obligated under this annexe to publish their NTB reduction plans. The annexe outlines the broad categories of NTBs under the agreement: trade and restrictive practices tolerated by governments, customs and administrative entry procedures, technical barriers to trade, sanitary and phytosanitary measures, and other barriers (including transportation) (Abrego et al. 2020).

The AfCFTA launched an online mechanism (<https://tradebarriers.africa/>) in January 2020 to deal with NTBs. As embodied in the AfCFTA, this mechanism “*shall be accessible to State Parties’ Economic Operators, National Focal Points, REC Secretariats, academic researchers and other Interested Parties.*” What remains is the right to recourse and remedies that can be used to address NTBs reported on the online mechanism.

The resolution of NTBs consists of a first stage when a specific NTB is reported, a second stage when a facilitator’s services can be engaged and a final stage involving the possibility of dispute settlement in terms of the AfCFTA Protocol on Dispute Settlement. Only state parties and not private sector entities have to stand under this Protocol. Stage two provides for the involvement of private parties in the resolution of NTB related disputes. The aim is to reach a mutually agreed solution, via the Facilitator’s services, within 45 days from the commencement of the proceedings. This particular process does not involve adjudication but is a consultative process to remove an NTB. If a mutually agreed solution is reached, it shall be implemented (Erasmus 2019).

While the above process and online platform are progressive, the extent to which a private sector entity can seek recourse is yet to be seen. Ultimately, the responsibility to eliminate NTBs remains with each sovereign state, yet the private sector will feel the greatest impact of NTBs. Therefore, extensive consultative processes are required between the public and private sectors to identify both national and regional NTBs that restrict free trade.

Conclusion

Regional integration of trade policymaking is a complex process of balancing competing interests. Public institutions on the continent have extensive experience navigating the challenges of competing policy considerations towards this goal. Africa is arguably at a turning point whereby the member states of the AfCFTA have the opportunity to use their political will to galvanise around a longstanding common goal. This is not to say it will be a simple process, but lessons learned at the REC level and through EPAs must be reflected in national-level public policy.

For the AfCFTA to be effective, design, implementation and monitoring strategies must be integrated and involve public and private sector stakeholders. This will facilitate consideration

of the needs and interests of the stakeholders by identifying the interrelationships among them. The outcome will be public policy that reflects mutually beneficial interests and actions from different entities, including micro and SMEs, that are the backbone of many African economies. The multi-stakeholder approach leads to synergies towards common objectives while tapping into each stakeholder's comparative advantages. The results will build consensus around the key pillars of the AfCFTA national strategies and strengthen stakeholder buy-in.

Trade within many RECs is already virtually tariff-free. This means that priority should be placed on addressing the NTBs. This requires public policy to address the source of the NTBs and the collective political will to eliminate them. It is also evident that the success of the AfCFTA requires a strategy for the phasing out of the regional FTAs. Until such a time as the public policy for trade is completely homogenous across Africa, *real* integration remains elusive. As African states work towards the consolidation of AfCFTA, emphasis should be placed on a united MFN provision that safeguards the African economy. Lastly, the relationship between the AfCFTA and various customs unions at the REC level must be defined to ensure AfCFTA itself evolve into a truly continental customs union.

To provide for the sustainable development of Africa, trade and integration public policy must also embody the building of production capacity, the acceleration of infrastructural transformation and the harnessing of the private sector's potential. Access to credit for the private sector, the ease of doing business and training human capital are essential in facilitating intra-regional trade. Ultimately, public policy should focus on developing trade-enabling infrastructure across the continent and developing the regional financial infrastructure. This includes developing and harmonising regional payment systems to facilitate cross-border payments, creating swap arrangements across central banks and multicurrency clearing centres in the region to mitigate currency convertibility and transferability risks from trading in several different regional currencies (IMF 2019).

The questions remain – what should precede the other, regional integration or trade? Perhaps this question's premise is misplaced, for there is no regional integration without intra-African trade, and there is no intra-African trade without regional integration. There is a symbiotic relationship between the two; thus, one cannot be extricated from the other. Public policy needs to reflect this symbiosis to guarantee the success of the AfCFTA and fulfil the values embodied in the African proverb: "If you want to go fast, go alone. If you want to go far, go together."

Notes

- 1 The 15 members of the Economic Community of West African States (ECOWAS) are Benin, Burkina Faso, Cabo Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.
- 2 Members of the WTO commit to "enter into reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to *trade and to the elimination of discriminatory treatment in international trade relations*" in order to contribute to the attainment of the Organization's objectives. *Marrakesh Agreement Establishing the World Trade Organization*, 15 April 1994, 1867 UNTS 154, preamble (entered into force 1 January 1995).

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PART XII

Understanding emerging policy issues and challenges in Africa



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OPEN INNOVATION SYSTEMS AND PUBLIC POLICY IN AFRICA

Setting new boundaries against wicked problems

*Emmanuel Yeboah-Assiamah, Clement Mensah Damoah
and Justice Nyigmah Bawole*

Introduction

Information technology has been a crucial lever of transition in an environment of growing uncertainty and change. It is expected to be influential in all areas of legislative and institutional reform (e.g. Zhang 2019; Fung 2003). It has also opened up several ways to improve internal management performance, decision-making and public services consistency for citizens (Kalu 2019; Moore 2005). There are pervasive and drastic advances in information technology, mainly mainframe and personal computers, geographic information system (GIS), websites, journals, Facebook, etc., in the public sector. These should facilitate the development of e-government to address time, distance responsiveness and productivity barriers as citizens benefit from e-government adoption and application. Implementing Information and Communications Technology (ICT) in public administration could decrease the level of bureaucracy in state authorities and organizations. It could increase the distribution of public utilities by establishing a new structure or layers of bureaucratic cooperation between state agencies at the inter-organizational levels (Mensah and Jianing 2016).

In general, modern governments face various socio-political and economic problems, such as corruption and inadequate provision of public services, which have led to the loss of faith and confidence in public administration. However, trust may be restored by e-government (Gracia and Arino 2015). Through ICT technology, policymakers may tackle or mitigate the danger of corruption in the public sector and provide programmes that fulfil citizens' needs more effectively, intelligently and with high quality.

The challenges in public policy and administration like terrorism and violent crimes, environmental pollution, injustice, mistrust in government and infrastructural deficits frequently reveal the features of "wicked problems" (Rittel and Webber 1973). There is often no definitive way to explain these problems since full explanations inevitably suggest an understanding of the anticipated solutions. The aims of solving wicked problems can often be complicated and contentious, as the greater benefit is frequently contested and the concept of equity uncertain (Rittel and Webber 1973). These problems are pernicious because they are difficult or impractical to overcome in the "right" or "optimal" way as the anticipated solution introduces additional obstacles that may be more difficult to resolve than the originally expected package (Kim and Zhang 2016).

For instance, COVID-19 is considered a substantial and pernicious global wicked problem, mainly due to its high degree of infection and global scale. Many countries are being assessed on how they are planning, mitigating and responding to this pandemic. Also, Asamoah (2020) considers political vigilantism a wicked problem because of its complex network of actors and factors that make it difficult to resolve. Political violence in Ghana, Kenya, South Africa, for example, is commonly related to the establishment of paramilitary groups by political parties for different purposes; these groups initially function as groups to deter crime but later escalate into more complex problems. Additionally, corruption, policy alienation, mistrust and non-responsiveness of public officials are wicked problems affecting public administration in Africa.

Addressing wicked problems requires efforts at effectively engaging and involving the citizenry in governance processes in what has become referred to as open innovation, which is deeply anchored on information, communication and technology. For instance, in public sector innovations such as water control and development, the Netherlands government has adopted an “involved citizen” approach that falls within open innovation policies (Bossink 2002; Groeneveld 2008). Lee, Hwang and Choi (2012) argue that “*De publieke zaa*”, literally translated as “Public Cause”, was founded in 2002 by a hundred Dutch people concerned with the content of the public domain. This civic platform acts as a gathering place for residents, governors and corporations to enhance public programmes and policies. In the UK, *FixMyStreet* is a website that allows people to communicate about issues within their local municipal councils by simply putting them on a map.

Globally, the public sector uses ICT to minimize bureaucracy, reform and modernize conventional government business and, most significantly, improve state-citizen engagement (see Cordella and Tempini 2015). E-government strategies include standardizing and streamlining public administration systems, delivering public services through broader and various sectors, providing timely online information, automating obsolete procedures and ensuring active engagement while ensuring transparency and accountability to minimize corruption in public administration. Although many government agencies have deployed ICT to provide public information, this appears to be a one-way, top-down flow of information. It is necessary to move beyond the current technocratic e-government paradigm, involving external collaboration and innovation between citizens and government agencies to include new (potential) modes of citizen integration and participation. This will improve policy development and democratic decision-making mechanisms in line with public value governance (see Bryson et al. 2014).

This chapter examines how open innovation repertoires can improve public service delivery and address wicked problems. We conduct documentary analysis on open innovation in public administration and ICT powered systems in Africa. The literature search process involved the use of the concept as approximately related to open innovation: “open innovation”, “ICT”, “collaboration”, “e-government” and “government 2.0”. These concepts were collectively used to obtain a pool of more relevant literature on the study. Retrospectively, the chapter provides useful conclusions and policy implications on open innovation.

Defining open innovation

With no ubiquitous definition, open innovation is also synonymous with “Wiki government” (Noveck 2009), “Collaborative innovation” (Hartley et al. 2013), “eDemocracy”, “eParticipation” (Collins 2009), “Citizensouzing” (Lukensmeyer and Torres 2008), “Crowdsourcing” (Howe 2008) and “Government 2.0” (Chun et al. 2010). Thus, it is broadly the

use of “purposive inflows and outflows of knowledge to accelerate innovation and to expand the markets for external use of innovation, respectively” (Chesbrough and Crowther 2006). Nambisan (2008) defines open innovation as a “collaborative approach to innovation and problem-solving in the public sector that relies on harnessing the resources and the creativity of external networks and communities (including citizen networks as well as networks of non-profits and private corporations) to amplify or enhance the innovation speed as well as the range and quality of innovation outcomes” (p. 11). To Hilgers (2012), open innovation involves the process of integrating peripheral knowledge into political-administrative process.

The above terms and definitions focus on the interaction between citizens and public institutions, essentially, via the internet. Albeit, the interaction between citizens and government institutions is done on the internet and has largely made collaboration possible (Collins 2009; Odeyemi et al. 2018). Therefore, open governance can be viewed as a modern shared value chain and teamwork between the public and the government through the systematic inclusion of external participants in the governing process (Noveck 2009), leading to a participatory government. We use “open innovation” to denote the online collaboration between the public, citizens and public administration because it appears to have the broadest meaning to the concept (see Chesbrough 2003).

This should not be confused with “open data”, which mean free access to government data at any time as a measure of ensuring that people participate in the governance process meaningfully. Open data does not require contact between public institutions and individuals; instead, it focuses on disseminating information to citizens. It can thus be viewed as a precondition for open government (Lathrop and Ruma 2010; Groeneveld 2008). Therefore, open innovation has three components of open government, namely, citizen ideation and innovation, collaborative administration/citizensourcing and collaborative democracy (see Figure 50.1).

Citizen ideation and innovation

The knowledge acquired through idea contests and online forums on open innovation in the private sector is excellent ways of embracing and thereby incorporating citizens into the outlining and framing of ideas, consequently encouraging participation. Hilgers and Ihl (2010) posit that nothing should be a blockade to the benefits of the suggestions and ideas of the populace to public authorities and administration. This process offers online platforms that enable citizens to interact with the authorities/public offices by reporting problems and defects such as traffic issues, road construction, street lighting and regulatory offences.

Collaborative administration

Although the phenomenon of citizen ideation or innovation delivers prospects to nurture ideas and creativity among the citizenry, the notion underpinning citizen-sourcing provides another big prospect to support internal administrative purposes. This involves all various open innovation projects, which enable collaboration between public administration and the citizens without implying an innovative idea. Conventionally and legally administrative responsibilities can be boosted by thoroughly incorporating peripheral actors into these processes (Alford, 2009). Citizens can support public officers in their daily duties, as in the case of the Peer-to-Patent. The United States Patent and Trademarks Office (USPTO) 2007 opened up to the public to participate in the process of examining patent applications. This

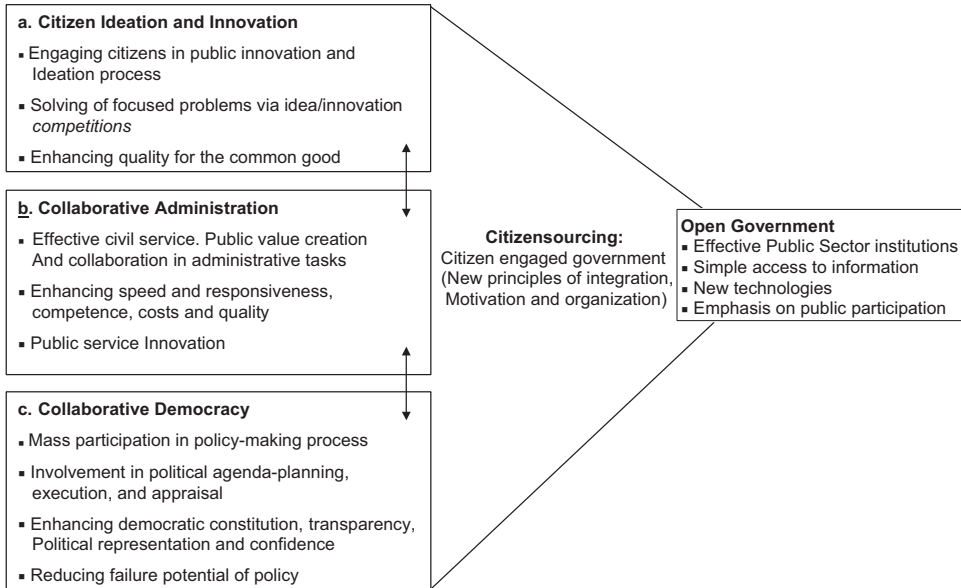


Figure 50.1 Framework for citizen engaged governance

Source: Adopted from Hilgers and Ihl (2010).

allowed the public members to examine pending patents’ applications and provide input to patent claims. Similar models can be adapted to the African public administration as context demands.

Collaborative democracy

The forms of open government discussed above so far illustrate the importance of bringing people into both the creation and execution of public policy aimed at improving policy development and outcomes. Nonetheless, there remains a query as to whether or not these concepts are capable of improving and modernizing the public governance and political decision-making processes. To Hilgers (2012), collaborative democracy puts together every aspect of open government and tries to increase citizens’ involvement in a political context. Thus, it refers to the political-citizen crossing point (politics) regarding authority, which leads to an acceptable set of goals and government accountability and pellucidity.

Warren (1999) contends that it is a long-lived issue of instituting an accountable democracy with continuous engagement. Those affected by decisions should be consulted, and policy formulation, implementation and evaluation should be opened to citizens’ input. According to Leighninger (2006), this would have a greater impact on the impact of legislation since many people are involved, resulting in increased transparency and openness in decision-making processes. It offers “synergistic benefits, such as enhancing civic education, strengthening the ties between citizens and government, increasing a government’s political legitimacy, minimizing the inclination of conflicts, and improving the prospect of successful policy implementation” (Hilgers and Ihl 2010, p. 13).

Open government initiatives in Africa

The Open Government Partnership (OGP) has 78 national and increasing local government representatives. The OGP connotes a multilateral initiative to promote governments' realistic promises to ensure accountability, inspire people and address corruption. At least 14 African members of the OGP and South Africa are founding OGP nations. To become an OGP member, participating states are to (i) *adopt a high-level OGP Declaration*, (ii) *introduce a public consultation action plan* and (iii) *commit themselves to impartial progress monitoring* (ibid). This dedication is reinforced by transparent innovation that brings together the government, its agencies/personnel and the general citizenry even without physical interaction. Tables 50.1 and 50.2 highlight the African members, both at the national and local government level.

The excerpts below present case studies of three African countries that have adopted the Open Government Partnership principles (Boxes 50.1–50.3).

Despite high government expectations from the formation in 2011 of the Open Government Partnership (OGP), the implementation of the Open Government Data Initiative (OGDI) in Africa seems to be increasingly obsolete (e.g. Kassen 2014). Ohemeng and Ofo-su-Adarkwa (2015) observe that, in recent years, governments have been made increasingly important steps to establish new public principles of accountability and transparency. Consequently, it strengthened the sense of inclusivity and trust of their people in their governance. Nothing really unlocks the need for this new synergy until it raises citizens' interest. The Ghana Open Data Initiative (GODI) is aimed at building an open data community that facilitates the sharing of data and information between the government (provision side) and civil society in general (demand side). They further argue that the GODI focuses too broadly

Table 50.1 African members (national level)

African member countries of the OGP (national level)

Burkina Faso	Nigeria
Cabo Verde	Senegal
Côte d'Ivoire	Seychelles
Ghana	Sierra Leone
Kenya	South Africa
Malawi	Tunisia
Morocco	

Table 50.2 Local government level

<i>Local government</i>	<i>Country</i>
Elgeyo Marakwet	Kenya
Kaduna State	Nigeria
Kigoma-Ujiji	Tanzania

Box 50.1

The Case of Ghana

A shared institutional structure is in place to govern and facilitate the introduction of OGD in Ghana. The National Information Technology Agency (NITA), the Ministry of Information Department, is the body charged with administering Ghana's information and communications technology strategy. In carrying out its tasks, NITA entered into strategic collaborations with the World Web Foundation to set up the Open Data Project in Ghana. It is important to remember that NITA is also responsible for introducing the Open Data Initiative (GODI) in Ghana (Abubakar 2009). The Ministry of Information and the National Media Commission are other government agencies within the open government administrative system. In promoting the case for Ghana's open government introduction, civil society organizations also play an important role. These parties consist of Coalition on the Right to Information Bill, Media Foundation for West Africa and Ghana Journalists Association (OGP Ghana) (Republic of Ghana 2013, p. 17). It is critical that these organizations, typically based on openness and accountability, shift towards pursuing an OGD viewpoint for transparent solutions for government execution.

The Ghanaian government currently maintains an Open Data Gateway, which offers free and open access to government data. The www.data.gov.gh site embraces 523 data sets, including, inter alia, information on the agriculture industry, the energy index and electricity production. Currently, 15 agencies are involved in the website's publication of freely accessible data sets, records, demands and resources. The policy goals that informed the portal include encouraging public transaction transparency and developing a business opportunity to reuse open government data (www.data.gov.gh). The Minister for Food and Agriculture, Ministry of Local Government, Ministry of Health and the Electoral Commission are some participating public agencies contributing to this data platform. The government is also embarking on various digital means of promoting closer interaction between government service and information provision and the citizenry.

Source: UNECA, 2017

on the provision side and proposes a uniform forum for developing government-citizen relations to balance information sharing with and across all citizenry.

In general, the Government of Cameroon does not release official data in a systematic manner or on any recognized website to the public. The Ministry of Posts and Telecommunications and the Telecommunications Regulatory Board exercise regulatory functions in information and communication technologies. While there is no data portal, the government maintains a website (<http://www.spm.gov.cm/>) intended to provide Cameroonian government departments and agencies information. The website was founded in 2001 to promote the National Strategy for the Technology of Information Communication. It offers information on Cameroon's government sectors such as schooling, training and work, youth and sport, science and technical advancement. While this platform contains general information on those industries, it does not include, among other things, any data sets accessible or reusable by the public (Freedom House 2012).

The Government of Morocco has attempted to promote open government values and fulfil transparency, openness and engagement. There are various fields of open governance implementation where the government has been involved in supporting openness,

Box 50.2

The case of Kenya

One of Kenya's main promises as a member of the Open Government Alliance is to promote governance openness and accountability. In particular, Kenya has established a public data repository for the online publishing of data sets for government officials. Kenya was the first African sub-Saharan nation to create a portal of this nature and has relatively performed well in the region on components of digitalisation (Onyango and Ondiek 2021) and related open innovation strategies. The Kenyan government has an agreed strategy of releasing and disseminating government data on freely available websites (Republic of Kenya 2012). The goal is to ensure that the official knowledge is easily appreciated and grasped by the citizenry in simpler formats. The site held seven years of comprehensive government budget data when it was released in July 2011 (World Bank Institute 2011). The platform was first developed with at least 200 data sets, and the government expanded the number of data sets progressively. The portal includes currently about 547 data sets, which are classified *inter alia* as: *environmental and natural resources, national accounts and inflation, agriculture, education, employment*, etc. (see <https://opendata.go.ke/browse>). One notable example is the use of ICT in improvements of judicial execution. ICT software is used to track the rapid execution of court rulings, as cases are delegated to judges, thus removing the arbitrary opportunity for wrongdoing. People can also gain access via SMS services to case details (OGP Kenya) (Republic of Kenya 2012). Legal material is provided on www.kenyalaw.org by the National Council for Law Reporting in Kenya; the agency is constitutionally tasked with law reporting and law review. The material on the website www.kenyalaw.org is in the public domain and is not normally copyrighted. The website includes materials such as the annual Status of the Judiciary and Administration of Justice Report Database of Municipal Laws and Foreign Instruments Case Lists of Various Jurisdictions, i.e. from the Supreme Court, Court of Appeal, High Court of Kenya, Industrial Court of Kenya. The country has also established an elaborate ICT infrastructure and institutional framework dealing with and directing public policy activities bordering on open innovation in the public sector (for example, see Onyango and Ondiek 2021 on how digital and ICT Platforms have been utilised by the government to enhance the implementation of Sustainable Development Goals in the country). For example, according to the ICT Authority Strategic Plan (2020–2024)

The [ICT] Authority sees a number of opportunities to position itself as a major leader in development of ICT in Kenya. These include; a) high literacy levels of citizens - thus increased capacity to adapt and use ICT; b) government plans and policies such as the Kenya Digital Economy Blueprint, Vision 2030, MTP III and the Big Four Agenda; c) high levels of internet penetration in the country; d) existing partnerships in technology; e) expanded ICT infrastructure and a high potential for resource mobilization through commercialization, accreditation, certification of ICT infrastructure, Standards and other services. This document flags out external threats such as Cyber Security of data and services as well as reputational and mandate risks are external threats that the Authority needs to guard against.

(ICT Authority Strategic Plan 2020–2024, p. 12)

Given the above ICT infrastructure and ICT Authority's institutional coordination, the Kenyan public sector has adopted different open innovation strategies to improve policy effectiveness in the 21st century (Etta and Elder 2005).

Source: UNECA 2017

Box 50.3

The case of South Africa

South Africa is one of eight founding Open Government Collaboration countries. As part of the terms and conditions for the Open Government Partnership member countries, from June to September 2011, South Africa established an Action Plan that details steps on how the country would achieve its objectives of the Open Government Partnership. The Government of South Africa has approved the achievement of eight goals under this Action Plan, focusing on the priorities of enhancing access to knowledge for people, transparency, public engagement and the use of technology and innovation to foster efficiency. Consultation with the public, including civil society groups, elected leaders and residents, created the Action Plan. There are some legislative and policy requirements of the action plan, including adoption of guidance on penalties for corruption-related cases, development of a guideline for citizen involvement, development of a public servant transparency framework and increased civil society participation at all levels of the budgetary process.

Batho Pele principles

“Batho Pele” means *first people* in Sotho language and was instituted to encourage citizenship and customer support and improve public sector productivity. Batho Pele principles serve as a basis for strengthening the quality of government services in a straightforward way; the standards were adopted in 1997 that was consistent with the demands of people to encourage civic engagement, participation and accountability. It is a mechanism to foster government officials’ transparency and ensure the effective delivery of public services. Consultations are to be carried out by sample collections of polls, workshops, interviews, etc., setting service expectations. Metrics are necessary for assessing efficiency and citizens’ satisfaction with particular public services; access to public services is necessary to allow the public services to be embedded in the decision-making process.

Source: UNECA 2017

accountability and engagement. By publishing the Citizens’ Budget on its website, the Ministry of Economy and Finance also makes budgetary information available to the public. By releasing budgetary records, the Ministry of Economy and Finance governs open data. It releases the citizens’ budgets to educate the public about the government’s financial procedures and policies. The citizens’ budget is freely available in non-technical languages to encourage those who do not typically have the financial literacy required to decode technical details to access it (International Budget Partnership 2012).

Notwithstanding the above case examples, they appear to be just a structured method that disseminates news releases rather than allowing citizen participation. Governments may pursue a presence on multiple social media sites for representation, but they adopt a “push” policy by broadcasting the agency’s message (Mergel 2012). Engagement techniques (“pull” or “push and listen”) can elicit content created by the consumer. It is crucial for policymakers to consciously invite suggestions or input from consumers in what has been referred to as *citizen-to-government* interaction (Mossberger et al. 2013). This may also provide answers and feedback from residents. Networking techniques focus on comprehensive dialogue among

citizens, where government officials engage as one group of actors but see the discussion primarily as an opportunity for citizens to obtain perspectives (Mossberger et al. 2013).

Policy implications for effectively harnessing open government in Africa

Possibility of crowdfunding

One of the greatest problems facing governments in Africa is budget deficits and how to raise adequate resources to address the numerous socio-economic and infrastructural challenges. Most African economies are highly indebted, yet many private individuals and corporate organizations are somewhat performing well. There have been many occasions where private entities have come together to crowdsource funds to produce a public value or a situation where private entities collaborate with the respective public agency to provide a public value in many African countries collectively. In these undertakings, open innovation and ICT can effectively create varying *gofundme* undertakings with the target and expected output.

Artistic impression and services to be created or produced could be demonstrated pictorially online. Also, citizens' contribution can be easily displayed online to reduce the prevailing infrastructural and public service deficits. For example, through such collaboration, Ghana established an infectious disease centre in record time when the COVID-19 pandemic broke out. The Ghana Infectious Disease Centre advances medical research capacity and diagnosis of infectious diseases, a policy window following the emergence of the COVID-19 pandemic. The centre was facilitated by the Ghana COVID-19 Private Sector Fund acting in concert with some public entities.

Reducing policy alienation

Open innovation often suggests “distributed innovation” whereby knowledge or ideas are shared outside an organization in an evolutionary dialogue (Bowden 2005). It, therefore, shifts the role of citizens from being passive “consumers” to active producers of public decision-making. Open government creates opportunities for citizens to engage in decision-making, thereby serving the state with collective knowledge, ideas and skills. This can lead to policy effectiveness and efficient decision-making by the government. Online interactions can cause the populace to be extra active in policymaking (Republic of South Africa 2019).

Consequently, these online interactions tend to increase citizens' acceptance of government policies. It is typical of people to embrace policies when they understand them and know their legitimacy. Thus, citizen participation may stimulate the desire and acceptance of democratic administration.

Indeed, Afrobarometer findings (e.g. Lekalake and Gyimah-Boadi 2016) policy alienation is among the major wicked problems in Africa. Here decision-making is mostly carried out with little citizen involvement in public administration across Africa. The opportunities for citizens, groups and stakeholders to make inputs during the policy formulation and review phases appear very limited. For example, based on this deficit, especially concerning the role of technology and innovation in establishing an amicable relationship between science, policy and the public, South Africa's *White Paper on Science, Technology and Innovation, 2019* gives several critical insights, *inter alia* that “Innovation can enhance South Africa's development and improve the quality of life of its citizens.

It has the potential to: “Improve public service delivery and decision making for public policy [and] Promote environmental custodianship” (Republic of South Africa 2019, p. 30). Thus, open innovation strategies are likely to integrate groups and interested parties in policy processes.

Possibilities of reducing corruption

As an objective of open innovation, transparency, that is, the availability and accessibility of government documents online and knowing the current state of governance, improves democracy. Operating an open government has been argued to greatly impact policy outcomes because of increased citizen engagement in the policy process, hence increased transparency and accountability (Chun et al. 2010). Moreover, an open-government system puts the government’s non-classified documents and information online, making the government’s dealings and functionalities easy and less costly (McDermott 2010).

In Africa, transparency can be a wicked problem because of prevalent corruption inside the governments over the years. According to the 2019 Corruption Perception Index (2019), most African countries perform minimally to reduce corruption in their systems (Transparency International 2019). Again, most governments are shrouded in bureaucratic secrecy. For example, the Special Prosecutor’s report to the Ghanaian President on the “Agyapa” deal noted:

there is no guarantee that the sovereign minerals income royalties being ceded to Agyapa Royalties Limited is not and will not be a leaking pipe in the public purse ... This opaque arrangement in the contract negotiation process not arising out of the Public Procurement Authority approval is what made the analysis of the risk of corruption and anti-corruption assessment conclude that the process of the selection of the Transaction Advisor(s) disclosed a reasonable suspicion of bid-rigging and corruption activity including the potential for illicit financial flows and money laundering in the arrangement of how the fees payable to Databank of Ghana as the decoy which was not approved under the Public Procurement Authority Act, 2003 (Act 663 as amended) are to be made. (Graphic.com.gh 2020)

Given the impacts of corruption and misappropriation of public resources on developmental processes in Africa, there have been popular anti-corruption efforts and the adoption of open innovation systems in public administration. Yeboah-Assiamah (2017) argues for a collaborative effort between strong institutions, strong personalities mediated by a strong *third force* (active citizenry) to control public sector corruption and other unethical practices effectively. This requires civil society organizations, media, clergy, think tanks and the citizenry (third force) to provide sustained surveillance service on public officers.

Unethical and corrupt practices operate and thrive in the dark. To foil the process requires “the sunshine effect”, which involves citizen oversight or watchdog on public officials. Adaptation of ICT and open government will stimulate the sunshine effect or citizen watchdog and report abuses in real time and more confidentially. Kenya and South Africa, for example, in collaboration with other agencies have online whistleblowing platforms where citizens have increasingly reported illegal practices in government institutions. The portals allow reporting of corrupt practices on the complaint lodging mechanism.

Public agencies – citizen collaborations in public service delivery

Open innovation can expand the confidence and trust in government that is a problem in African public service, thereby creating effective citizen-public agencies collaborations. The institutional trust will stimulate citizens' involvement in public policies processes. Engaging citizens in the innovation process of governance reduces scepticism and distrust in public offices. Thus, effective policing and security, for example, need public trust.

The United Nations suggests that the ratio of police to citizens should be 1:500; while many advanced countries effectively meet and even exceed this ratio, African countries lag. For instance, in Ghana, the police-citizen ratio is nearly 1:848, which suggests a gap of about 23,000 police officers. With a growing population in Africa, the deficit in law enforcement officers is growing. Thus, it is more crucial to involve the citizenry in the security architect and explore how the advancement of ICT like Artificial Intelligence (AI) and social media can address this personnel gap. A proposed solution may be to use Artificial Intelligence technologies to assist police, given the exponential growth of mobile phone users in these countries. This can involve using an AI-powered Digital Police Officer – a chatbot referred to as *DigiCop* – who delivers immediate and swift police support in emergencies and non-emergencies. *DigiCop* can operate collaboratively with citizens to tackle crime and create peaceful and robust societies. The system is available on social media platforms, including Facebook and WhatsApp.

Conclusion

The chapter explored how open innovation can lead to improved public policy processes such as increased citizens participation, transparency, and trust in the government. Considering wicked problems in Africa's public administration – mainly policy alienation and exclusion, corruption and other unethical governance practices, infrastructural deficits and weak security setups – adaptation of Open Innovation systems can help address these challenges. Like other regions, Africa needs to adopt and implement web 2.0 applications and ICT instruments to harmonize information, communication and participation conduits. Citizens can access government, public services and public servants and make informed policy decisions. Thus, transitioning from the “traditional” e-government to an open government should be the emergence of “a new kind of social contract” (Long 2002). Through these, citizens can have greater trust in the public sector and empower public administrators to be proactive in public policy processes. To citizens, open innovation systems will open up the public spaces for groups to virtually participate and submit their comments for consideration during the policy formulation stage. This will help reduce type III error which appears to occur more often than not in many African policy outputs and outcomes.

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AFRICA'S NEW MEGACITIES

Sustainable urbanism, climate urbanism or megapolises of exclusionary enclaves

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Introduction

Urbanization has changed the global ecological space, having an impact on the lives of the people. However, urbanization has also come with wicked policy problems ranging from climate change, insecurity, urban poverty and socio-economic inequalities. In this chapter, the current megacity phenomenon and policy issues that surround it are explored. According to the current data, the world's population growth in urban areas between 2018 and 2050 is projected to be 2.5 billion, with most urban dwellers residing in Africa and Asia (Lerch 2017). It is predicted that until 2030, developing countries will continue to experience urban growth. Of all megacities, a larger percentage of megacities are situated in the world's less developed economies. The increasing population growth and rapid economic prosperity are envisaged to contribute massively to Africa's developmental expedition (Bafana 2016). The emergence of contemporary megacities in Africa is cogitated as a new phenomenon. Africa's emerging megacities are hubs of innovation and creativity for development. Megacities are known for talents, innovative thoughts and ideas that can be transformed into development (Nawrot et al. 2017). Based on the current urbanization trends, Africa is projected to experience the fastest urban growth in the world. By 2050, cities in Africa will accommodate an extra 950 million people (OECD 2020).

Although this projection has economic growth and development opportunities, the challenges associated with an agglomeration of economies in the cities cannot be jettisoned (OECD 2020). There are challenges in such agglomerations; these include connectivity with the suburbs and the international economic systems, infrastructural deficits and endemic poverty in the periphery areas of the cities, among others (Nawrot et al. 2017; Makinde 2012). Studies show no correlation between creating new cities and their objectives to address population growth and sustainable urbanization challenges. In Africa, the sporadic growth of new cities often necessitates the displacement of poor urban dwellers. The privatization of governance in these new cities has been blitzed with considerable criticism, especially whether to relate the phenomenon with sustainable urbanism or climate urbanism (Cirolia 2014; Grant 2015).

In Africa, new property investments are increasing, constructed in self-contained spaces championed by private entities. Arguably, the rationale behind such new enclaves, which

sometimes appears as a gated community aimed to serve the interests of only a few elite, rich class citizens, addresses some of the wicked problems of urbanization. However, the governance model upon which such privately driven urbanism is founded is far from solving the wicked urban problems. For example, it also exacerbates the forceful expulsion of most poor class citizens in the cities besides worsening the socio-spatial fragmentation and segregation in African cities (Van Noorloos and Kloosterboer 2018).

More to this, land governance in Africa is considered within the context of dualism that creates an enabling environment for what Peter Ekeh (1975) considered “two publics”, which explains the dialectical complexity and political apostasy of the wider inequality that are embedded in Africa’s social structure. Such a theoretical reference provides adequate clarification regarding the co-existence and consistency of formalized land rights in the African metropolis that serves the few elite’s interests and the informal land rights in the remote parts of the cities. The latter is primarily occupied by the poor segment of the society (Pieterse and Parnell 2014).

The complexity and pragmatism of such an arrangement aim to promote and maintain social hierarchy within the cities whereby a certain group of people form the composition of communities demarcated with walls while enjoying basic social amenities and private security (Van Noorloos and Kloosterboer 2018; Bénit-Gbaffou, et al.2012). In contrast, informal cohabitation in these cities is unsafe for human habitation, but the dwellers are often without the basic social services found in the formal spaces. The environment is characterized by insecure land tenure, which becomes an alternative for low-income citizens and migrants. The dwellers’ adaptive capacity to cope with urbanization risk in such spaces is deficient (Resnick 2014). The social status that defines the informal settlers mostly results in exclusion from public decision-making, which has implications for risk mitigation (Dodman et al. 2017).

Thus, governing cities in Africa require multi-level and multi-sectoral actors. Numerous players often include governments, traditional authorities, civil societies, international organizations and donor institutions. Moreover, in terms of policy processes, the government at all levels has major responsibilities; however, the traditional rulers usually also possess much influence in land allocation, especially in the suburban areas where informality proliferates. Additionally, large private organizations invest in property development, shaping the topography of urbanization in the continent. The international organizations participate in governing urban areas by providing aid, loans and donations to promote sustainable urbanism in Africa. Civil society organizations’ role in urban governance cannot be overlooked, especially by articulating demands on behalf of the people.

Considering the ecology of urban governance in Africa, the collective responsibility of both the formal and informal institutions is acknowledged. This involves the general management of infrastructural facilities, economic development, environmental management, mobility, security, disaster risk management and promotion of socio-cultural capitals, just to mention a few (Smit 2018; Hoffman 2007). In the following sections, the positionality of contemporary megacities in Africa is discussed. This begins with the conceptualization of megacities, followed by the history of urban governance in Africa and corresponding urbanization trends. I specifically demonstrate that Africa’s proliferation of megacities cannot be situated within the two contemporary urbanisms. The existing structure disregards the actual representation of sustainable urbanism and climate urbanism. Therefore, the current wave of megacities is assumed to be a new elite stratagem to promote further social dualism and environmental fragmentation that denies the poor masses from enjoying basic infrastructural opportunities.

Understanding megacities

Megacities have received the immense attention of intellectual figures and policymakers worldwide (Agergaard et al. 2019). Towards the end of the 20th century, the global community has witnessed the emergence and facsimile megacities tendencies (Yeung 1997). Conceptually, megacities are different from global cities or world cities due to their population requirement in defining them. Megacities are measured by their population attainments. Empirical evidence of their huge infrastructural potential, technological capacities, social and economic investments isconstantly available in megacities (Yeung et al. 2020). Thus, a megacity can be hypothesized as a geographical entity with a population greater than 10 million (United Nations 2013). From the United Nations (2016) estimation, from the current 31 existing global megacities, 24 are located in the Global South. From the United Nations (2016) records, China has six megacities, and India has five. It is projected that there will be ten cities that can become megacities, and these are situated in less developed nations (UN-Habitat 2008; United Nations 2016).

There are several reasons for the proliferation of megacities in the Global South. Some of the reasons have been considered within the purview of dependent development and capitalism penetration. The cultural capital of cities that promote talents, educational values and other services fascinates the exodus of outsiders who continuously generate megacities' growing propensities (Gilbert 1993). Megacities are nuclei of information technologies, knowledge and innovation. Notably, innovations can be employed to foster sustainable development. Numerous interlocking dimensions have been identified that determine the structural standing for innovation capabilities. These include the environment, entrepreneurship, connectivity and education. The pool of talent aided by the existing educational system and assemblage of the corporation and technological constellations can promote innovativeness within the megacities. Such an environment becomes a point of attraction to talented individuals worldwide; this has been helped due to connectivity, networking, air quality, business environment, education and cultural values, which has helped transform megacities into innovative ecosystems (Nawrot et al. 2017).

Many large cities have experienced massive growth due to economies of scale, often beyond normal radii, which economists regard as negative externalities. Such negative externalities often cause the following issues:

- Environmental pollution
- Megalopolization (reduction in urban space per capita)
- Slums
- Squatters
- Social disorder
- High crime rates
- Traffic congestions, etc. (Gilbert 1990).

From an economic perspective, megacities are prosperous geographical entities, and as such, they encourage the influx of migrants searching for economic fortune. In 2010, megacities generated 14.6% of the global GDP (Boyd n.d.). Such figures are growing with an intensification of urbanization across the world and Africa in particular. However, despite the fascinating taxonomy of megacities, there are complex issues such as infrastructural infirmity, the transportation conundrum, health and sustainability threats that offer a susceptible landscape for the smooth running of the urban ecosystem. These quagmires are generally worsening

due to the excessive population growth that hoodwinks megacities' infrastructural capacity (Boyd n.d.; Yeung 1997). Thus, megacities can be observed from an opportunistic proclivity, including numerous risks (Heinrichs 2012). On the character of megacities in Africa, two fundamental components are critical to the discourse of the phenomenon: the fulfilment of population obligation and the territorial confinement of the urban agglomeration, accommodating both the urban slum dwellers and the wealthy elite (Csomós 2014).

Historiographical analysis of urban governance

The current social, political and economic trajectories of urbanization have roots in the age-long superstructure instituted by colonialism (Förster and Ammann 2018; Mamdani 1996). The pre-colonial social historicity is considered a fundamental starting point that shaped Africa's social structure (Ndlovu-Gatsheni 2013). The subjugation of traditional indigenous systems and their replacement with the colonial political structure led to the modern caste system's imposition over the primordial indigenous social stratifications. This came with importing the colonial capitalist system that alternatively instrumentalized the restructuring of the age-long African socio-political order (Chodak 1973).

The colonial system's Western socio-cultural values, mentality and political institution were employed to reorganize African social norms. The hierarchy of the modern social stratification system constructed by the colonial regime constitutes a small upper caste of colonial administrators and colonial superintendents. This modern colonial structure provided a solid foundation for the emergence of class formation and a new socio-political order in most African countries (Chodak 1973). For example, the introduction of Government Reserved Areas (GRA) in well-developed areas or cities with basic social infrastructure for colonialist citizens (e.g. Mamdani 1996). Conversely, most indigenous Black Africans lived in the suburbs (informal settlements) with no essential infrastructural services and necessary social services. Notably, informality is attributed to poverty (Rauch 1991), an unregulated environment and an unofficial social environment (Collier 1993). Formal spaces are characterized by a well-organized land tenure system that is officially regulated by the state. This narrative demonstrates the new colonial-driven socio-ecological phenomenon referred to by Peter Ekeh as the "Two Publics" (Ekeh 1975) and Mahmood Mamdani as a bifurcated society.

Following this event, establishing formal cities within informal cities was accepted, depending on the context and whether or not their growth could perturb the colonial system (Mamdani 1996). Informal settlements grow faster compared to any other areas of the cities. During the colonial administration, the informal environments and dominant populace are difficult to manage and control due to their lopsided and unstructured planning (Drakakis-Smith 2000). The dichotomy created by a colonial state's circumstances continued to influence urban governance tradition in post-colonial Africa, hence the modern trajectories and inequalities. The situation, therefore, unremittingly reinforced the struggle between formal and informal urban governance that shapes development policy in Africa today.

Urbanization trends: the emergence and growth of megacities in Africa

Since urbanization and population growth in Africa tend to correlate, it is important to provide a general overview of African population growth to understand urbanization trends. In the 1950s, the African population was estimated at 228.9 million. It was projected by the United Nations (2015) that Africa would increase to 2.4 billion in 2050 (UNDESA

2015). Countries like Nigeria, The Gambia, Mali, Zambia, Angola, Burundi, Somalia and Tanzania have the highest population growth rate. By 2050, countries such as Nigeria will have 440 million population, Ethiopia 188 million, the Democratic Republic of the Congo 155 million, Tanzania 129 million, Egypt 122 million and Uganda 104 million (UNDESA 2012). Africa's urban population growth is the fastest growing population globally. Therefore, it is believed that in the next 20 years, most people will be domiciled in the cities.

Moreover, by 2030, it is estimated that Africa will accommodate 6 of the 41 world's megacities. The existing three megacities in Lagos, Kinshasa and Cairo will be added to Dar es Salaam, Luanda and Johannesburg. These megacities are the economic hubs in their respective countries and link Africa to the global economy. Also, it is assumed that by 2030, Kinshasa, Lagos and Cairo will accommodate over 20 million people, while cities like Johannesburg and Dar es Salaam will have exceeded the threshold of 10 million (UN 2019). By 2035, Lagos may reach close to 30 million people, transforming Nigeria into the largest megacity in Africa (Bello-Schünemann and Aucoin 2016).

By 2040, cities like Nairobi in Kenya and Abidjan in Côte d'Ivoire will also have more than 10 million people. Moreover, by 2050, other cities, including Addis Ababa in Ethiopia, Bamako in Mali, Ouagadougou in Burkina Faso, Dakar in Senegal, Kano and Ibadan, will join the league of megacities, summing up the number of megacities to 14 in about 30 years. Among these several existing and projected megacities, Lagos will attain the world's largest city by 2100 (United Nations 2019). By 2042, Africa's urban dwellers will be doubled to more than 1 billion. Additionally, it is assumed that more than a third of Africa's urban dwellers will be residing in the West Africa *region* (Bello-Schünemann and Aucoin 2016; United Nations 2019).

However, despite these prosperous projections, can this population growth transform into sustainable urban development? Or can it have an improvement in the lives of the people? These are questions that African policymakers are grappling with and should find apposite answers to. Indeed, Africa's population growth has outstripped economic development due to the lack of manufacturing and job creation (Bello-Schünemann and Aucoin 2016). Besides the growth of megacities, cities, a crucial number of agglomerations have not been transformed into sustainable development. Cities are not providing adequate infrastructure to match the massive influx of people, thereby eroding the quality of life because of pollution and congestion (Nawrot et al. 2017).

Some of the fundamental challenges faced in many urban areas in Africa include increasing poverty and slums currently estimated at more than 60% (UN-Habitat 2012). Therefore, large cities should be measured based on a threshold of economic attainment. Many projected megacities, especially in Africa, have banked on the informal economy. In this context, policy forecasting for the largest cities by 2100 should be based on population benchmarking and predicting the world's largest economies (Satterthwaite 2017).

Furthermore, sub-Saharan Africa accommodates 199.5 million slum dwellers, which the UN-Habitat considered as a manifestation of a poorly managed and malfunctioning sector. For example, Monrovia hosts more than 75,000 populace, and Kenya has more than 2 million slum dwellers, which is considered the largest in Africa (Bafana 2016). Thus, despite the belief that the current wave of megacities can bridge the vacuum of the housing shortage, most of the luxurious enclaves disregard the socio-economic conditions of the poor local citizens. The majority of the citizens with housing challenges are excluded from such initiatives. The exponential expenditure on megacities does not go in tandem with addressing urban poverty and the growth of slums. For instance, although 80% of the urban populace live in slums, a home unit in Kigali's Vision City costs approximately \$160,000. Also, Senegal's

\$2 billion Diamniadio Lake City received public criticism for neglecting most citizenry (Kazeem 2018). Despite having economic potentials, the concern is that the megacity wave hardly promotes equal socio-economic development of the general urban dwellers in Africa. The preceding sections delve into this in detail.

From sustainable urbanism to climate urbanism: the changing facades of urbanization

Different approaches have been devised in pursuit of sustainable cities, notwithstanding the variations in definitional objectivities. Sustainable urbanism emanated from three movements that sought to harmonize human and natural systems. The emergence of smart growth, new urbanism and green building movements provided a solid foundation for sustainable urbanism. The three movements aimed to promote and sustain social, economic and environmental reforms. Sustainable urbanism, therefore, attempts to integrate and synergize the core values inherent in these three movements to promote a sustainable human environment (Farr 2011). The term also embodies urban design, management and development. It can also be contextualized within the field of real estate, engineering, policy and planning (Larco 2016).

Douglas Farr (2011, p. 3) provided a distinct explanation on the phenomenon by defining sustainable urbanism as: “walkable and transit-served urbanism integrated with high-performance buildings and high-performance infrastructure; where compactness and human access to nature are core values and where aspects of sustainability, functionality and interconnectivity are more important than design”. He further equated the threshold with human access to nature (density and biophilia). Moreover, a broader explanation of the term is considered as: “the application of sustainability and resilient principles to the design, planning, and administration/operation of cities” (Roggema 2016, p. 1).

To the UN-Habitat (2012), sustainable urbanism refers to

the spatial manifestation of urban development processes that creates a built environment with norms, institutions and governance systems enabling individuals, households and societies to maximize their potential, optimize a vast range of services so that homes and dynamic neighbourhoods, cities and towns are planned, built, renewed and consolidated restraining adverse impacts on the environment while safeguarding the quality of life, needs and livelihood of its present and future populations. (p.4)

Sustainability encourages “local collectivities” that promote local pathways in mitigating the negative global influence of urbanization. The welfare of the local population that promotes economic, material, social and cultural well-being and professional growth, sense of belonging and access to ecological space is associated with sustainable urbanism. Sustainable urbanism policies need to be included in a long-term policy connected with the prosperity of the cities. Thus, sustainable urbanism is a:

process of synergetic integration and co-evolution among the great subsystems making up a city (economic, social, physical and environmental), which guarantees the local population a non-decreasing level of wellbeing in the long term, without compromising the possibilities of development of surrounding areas and contributing by this towards reducing the harmful effects of development on the biosphere.

(Camagni 2017, p. 272)

From this definition, sustainable urbanism is a continuous process that embraces a learning attitude towards strategic design and conflict resolution. The various components that serve as an embodiment of the city – physical, social, economic, environmental and cultural heritage – are holistically considered in combination with their connections. This can be achieved by integrating, optimizing and maximizing the diverse components that connect the different subsystems and include the stringent minimization of the risks inherent from such loops and negative external influences (Camagni 2017). Therefore, sustainability, as it applies to urbanization, should not only be defined in an isolative manner that recognizes “physical determinism” and “technological peculiarities” to address urban problems (Sharifi 2016), but pluralism that takes the cognizance of diverse actors within the decision and planning processes also needs to be taken into consideration (Bond et al. 2013).

However, concerning the current policy efforts towards climate change, climate mitigation and adaptation are highlighted as fundamental pillars of climate urbanism. Climate mitigation aims to prevent greenhouse emission, while adaptation is considered an adjustment to human and natural systems against the deleterious effects of climate change in the cities (Juhola 2020). Climate urbanism emphasizes the need to evaluate and monitor carbon footprints and several other greenhouse gases’ emissions within the cities. It is important to note that cities serve as major economic growth drivers (Long and Rice 2019).

Climate urbanism assumes that cities and local municipalities are viable channels in addressing climate change policies. Climate urbanism like the Smart Cities (e.g. Konza City in Kenya and Cape Town in South Africa) offers and promotes a technological and infrastructural response to climate threats. It provides an investment landscape for climate finance and governance. Low carbon infrastructural development can be regarded as the key element in climate mitigation, adaption and resilience (Long and Rice 2019). Climate finance through the horizontal structure is pivotal to climate governance. It is channelled through international organizations to city partnership, charitable organizations, real estate institutions, IT companies and research institutes; these entities are instrumental in sustaining the global climate agenda by providing advisory services to policymakers. The channels have also promoted public-private partnership for urban climate-proofing and smart projects (Robin et al. 2020).

Urban governance and megacities in Africa: a megalopolization of exclusionary spaces

In general, African countries have multi-layered land administration systems. Different levels of government play a vital role in the governance processes of urban areas. However, the allocation of responsibility among the layers of government varies from country to country. From the early 1980s, the agenda to promote decentralization and grassroots democracy was encouraged by international organizations’ policies, as discussed by different authors in this volume. The pursuit for decentralization, especially related to urban management, has been unstable (Smit and Pieterse 2014).

The contemporary models of urban and land governance in Africa are dualistic and trace back to colonialism, combining the formal system constructed to safeguard transcontinental invaders’ interest in the central cities and the informal land governance in the periphery urban areas (Pieterse and Parnell 2014). Public policies on urbanization are analogous to the formal system that can be compared to a Western model. These policies are codified by the state’s legal conditionality, including housing, land and environmental policies. However,

informal or customary systems are generally characterized by unregulated or extra-legal systems (Kombe 2005).

Local governments' capacity to manage such an informal system is restricted by the traditional leaders who often control land allocation (Gough 1999). Coupled with the intergovernmental relation conflicts, the co-existence of formal and informal modes of governance often causes overlaps in urban functions among the levels of government (Pieterse et al. 2018). Therefore, the multi-layered governance arrangements hinder the policy effectiveness of the urbanization processes needed to address the divergent issues experienced by urban dwellers (Dodman et al. 2017).

Despite several reforms aimed at promoting decentralization in many African countries, local governments are still incapacitated to implement sustainable urban interventions. The governance system in many urban areas in Africa is highly centralized, and the higher level of governments renders most public services. The African urbanization agenda is yet to be a technologically and innovatively driven development. The crucial role of innovation as a pivotal instrument for development in urban Africa has been jettisoned in many academic and policy debates. Such neglect has been associated with a popular narrative that Africa is a consumer space that lacks the capability for manufacturing (Nawrot et al. 2017).

Thus, despite efforts towards good governance like public participation in the decision-making processes and public-private partnerships, a genuine decentralization of powers and resources to the sub-national governments and participatory urban governance remains elusive in Kenya, Uganda, Tanzania and Nigeria (Smit and Pieterse 2014; UN-Habitat 2008). In Nigeria, local authorities have been turned into mere appendages of the central government. As enshrined in the 1999 constitution, the statutory functions of grassroots governments have been hijacked by the higher levels of government (state government), transforming the local authorities into an extension of mere administrative entities.

There are several reasons why decentralization projects have been rendered ineffectual, and these are situated within the continuum of inter-governmental and bureaucratic politics, as well as inadequate capacity of local governments (Andrews and Schroeder 2003). Also, the constitutional inadequacy of the political system hinders the effective implementation of urbanization policies. In many cases, decentralization in Africa has perpetuated anti-masses policies, patronage politics, selfish interests, political tensions and political networking (Crook 2003).

The private sector has led chiefly the current unsustainable development agenda in promoting megacities in Africa. This includes the construction of gated communities directed more towards a few wealthy elites and the middle class. This private sector-driven arrangement, which is considered anti-poor perfectionism, promotes social segregation and fragmentation capable of exacerbating Africa's urban poverty (van Noorloos and Kloosterboer 2018).

Since the majority of poor urban dwellers are residing in slums, it is permissible to assume that a reasonable proportion of this population will continue to reside in slums due to inadequate institutional and financial capacities and political wills to address the system of dualistic urbanization in Africa (Smit and Pieterse 2014). Validating the above argument requires critical observation of the current urbanization trends in Africa. As seen in most East Africa countries, urban slums have revolved around the private sector driving urban construction. This is mainly beneficial to the rich and middle classes, promoting unrealistic standards and regulations, lack of strategic planning by the government, politicizing informal settlements and social housing schemes, and the lack of public infrastructure (UN-Habitat 2010).

Conclusion

Urbanization trends in Africa represent and prevail alongside a dual model or structures in urban and land governance analogous to the hybrid social structure (formal and informal governance systems). This dual model enables landscapes that exclude the poor from receiving infrastructural benefits besides complicating a proper design and implementation of related urban policies. The chapter shows that the existing dualized superstructures traverse the co-existence and congruence of the wealthy elite class and slum dwellers within the same urban spaces. This also demonstrates the shortcomings of the globalized policy processes and frameworks for integrating Africa into the international political economy. Indeed, urbanization in Africa, as most policy areas already handled in this volume, repudiates the current global standards for sustainable urbanism and climate urbanism. The current lopsided political structure in many African states has feeble decentralization systems that render many local authorities inept in promoting effective management of urban areas.

Therefore, this chapter suggests that urban governance in Africa should address the current challenge of dualism, bridging the gap of infrastructural debacles between the mushrooming mega enclaves of the minority wealthy class citizens and the growing slum dwellers. This may address the endemic challenge of inequalities and infrastructural deficits that characterize the growth of megacities in Africa. Informal urban spaces and slums should be integrated into the overall urban development plan of the cities rather than adopting an isolationist approach currently employed for profligacy. A holistic policy approach should promote equal access to infrastructural opportunities rather than promoting strategies and developments that further infrastructural divides. In particular, local government structures such as municipalities should be bolstered to design and implement sustainable urbanization policies in Africa.

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ENVIRONMENTAL POLICIES IN AFRICA

The state of regulating e-waste management

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Introduction

In recent decades, technological proliferation, production and consumption have unfolded in myriad forms. The consequences have relatively caused a strain on the policy capacity of state institutions globally. Indeed, with globalisation, the art of state regulation has transcended the traditional boundaries besides redefining the state's role to include different other jurisdictions of the regulatory state. Despite similarly leading to loose state regulation, regulatory governance or these new regulation spaces can allow the state to bring onboard new resources, data and expertise for an improved and democratic environment policy processes. Still, this is more likely under intelligent governance or policymaking (e.g., Sander-son 2009). This means that practical implementation of regulatory policies provides a critical link between the state and the society. However, with the exponential surge of technological innovations and consumption of the 21st century, the state's regulatory claws are relatively weakened, especially when facing wicked environmental challenges. The increased uncertainties and complexities that result from this rapid and complex technological civilisation or consumption presents an uncharted policy environment for the state and its institutions. Thus, the government should frequently revise its laws and administrative structures to counter the rapidly changing environment and citizen preferences.

However, this remains a challenge because state institutions are not well acquainted with rapid change and innovation. As already shown in previous chapters, most government institutions in Africa are relatively less innovative and slow to change. They are predominantly operating in non-responsive political-administrative environments, which are slow to innovate, hence, they an uphill task in striking a balance between technological growth and environmental protection. Within this context, this chapter reviews the state of e-waste management in Africa, evaluating e-waste disposal policies' implementation status in Ethiopia, Kenya and Rwanda. Doing so takes stock of the attendant policy processes and challenges. In general, the chapter seeks to understand the impact of environmental regulatory policies in African contexts, considering the relatively weak institutions that minimally or problematically regulate citizens' daily lives and behaviour. The proceeding discussion is organised along the following sections.

Literature review

E-waste/WEEE management is one of the wicked policy problems in Africa and beyond. It has recently gained currency in environmental governance and policies. To this end, there has been an emphasis “on end-of-life management of e-waste activities, such as reuse, servicing, remanufacturing, recycling and disposal” (Herat and Agamuthu 2012, p. 1113). Indeed, ILO (2014) notes that e-waste is currently the fastest growing waste stream. E-waste management is complex, hazardous and costly. In Africa, where a vast informal economy exists, job quality and workers’ income in the informal sector can be improved to create an environmentally sustainable economy. This is because most e-waste ends up in developing countries to be processed by informal workers (ILO 2014). There has also been increased attention to the “upstream reduction of e-waste generation through green design and cleaner production” (ibid). Despite relatively underdeveloped, the state in Africa has transformed in response to challenging E-waste policy issues in the last decades. There has been a proliferation of institutional arrangements and reforms to strengthen the regulatory state amidst the changing and complex policy environments.

However, we argue that Africa’s regulatory institutions generally still suffer from public trust problems and remain underfunded, perceptively predatory, poorly managed and politicised, in addition to sectoral specific challenges that altogether render e-waste management policies ineffective. Indeed, studies have shown that weak institutional capacity is not unfamiliar to the regulation of e-waste in Africa. Asante et al. (2019) contend that “E-waste management [suffers from] lack of clear action plans by African governments on the handling of e-waste, and the absence of infrastructure for appropriate e-waste management” (p. 109). Thus, in their efforts to fit and catch up with technological developments in this age, African countries, like most developing countries, confront additional challenges in regulating E-waste/WEEE in the face of increased consumption of electronics that range from smartphones, computers, industrial devices to household equipment. For example, a surge in electronic consumption has hardly gone hand in hand with developing appropriate institutional capacities to regulate these electronics’ effective disposal despite their toxic components to the environment. Additionally, the exponentiality by which African countries consume electronics is not in tandem with appropriate investments in electronic equipment productions.

As such, Africa remains more of a consumer than a producer. The higher rate of electronic imports has also created problems regard to the quality of electronics being imported by African countries. However, African countries’ primary dilemma is the large consumption of second-hand electronics (Asante et al. 2019). Most African countries lack the capital, methods and know-how to effectively compete with more technologically developed countries in Asia and the global North in electronics production, making Africans more vulnerable to importing substandard technologies and electronics (Maphosa and Maphosa 2020). This may partly explain why most countries in Africa are “dumping sites” for outdated or inferior electronics and technological inventions, resulting in the disposal of toxic materials to their environment (Asante et al. 2019). In other words, it is cheaper for developed nations to export electronic waste to developing economies where the regulatory state does not exist or is weaker in addition to cheap labour (Caravanos et al. 2011).

Nonetheless, regulations have been formulated both at the national and transnational levels to address this problem. Since the 1970s and even more recently, e-waste regulation has been put in place at all levels to protect the environment from toxic e-waste disposal in Africa. The environmental regulation logic on the impact of e-waste has resulted in burgeoning policy frameworks at all levels. About 20–50 million metric tons of electronic

equipment or devices is disposed of globally as electronic waste annually (UNEP 2009). According to Robinson (2009), approximately 8% of total global waste is electronic waste, of which 80% end up as exports to the developing economies.

These developing economies are also engaged in the disposal of their own electronic wastes; in certain instances, they produce larger electronic waste quantities than are imported. For example, in Mumbai, India, about 19,000 tons of electronic waste is disposed of monthly. A high amount of refurbished electronic equipment is imported into the country (Pinto 2008). Even though 95% of electronic waste can be recycled, only a tiny proportion of electronic waste is recycled in developing economies because the recycling techniques involve very high costs (Robinson 2009).

In 2020, the UN's Global E-waste Monitor reported that "2.9 million waste electrical and electronic equipment (WEEE) was generated in 2019" in Africa (Ngounou, 9 July 2020). This is in addition to thousands of illegally exported WEE and second-hand electronics from Europe, America, China and Japan into Africa. With the increased consumption and usage of second-hand electronic devices, the weaker regulatory state in Africa confronts unique policy challenges considering the toxic impact of WEE. Different countries in Africa have formulated policies and legal frameworks to safeguard e-waste disposal and comply with varying policy frameworks.

But challenges remain – some of which emanate from the broader design of the policy frameworks and contextual challenges of Africa's institutional capacities. For example, although electronic waste management's legal frameworks are not entirely comprehensive, it is not easy to pinpoint the most effective laws. Also, the wicked of such policies are exacerbated by the fact that environmental issues attract a diversity of laws, institutions, government levels and actors, causing complexity and lack of policy integration or coherence. For example, despite the European Union having some practical legal framework, policies and directives to reduce dangerous electronic waste proliferation, the implementation of e-waste has not been successful (European Union 2000). Mainly, such challenges are not unique to Africa because of concerns with the policy frameworks' design, the intergovernmental structures and the diversity of well-placed actors both within country members and at the union level.

More localised legal frameworks may stimulate a change in how electronic wastes flow. Regulations or policies for e-waste require publicity to be effective and ensure that the efforts to address the local conditions and behaviours are successful. However, this should be complemented by effective enforcement of international laws and agreements to regulate electronic equipment's inter-state movement. Thus, the practical and efficient management of e-wastes calls for structural and comprehensive approaches supported by legal and institutional frameworks both nationally and transnationally. However, these have been rarely adopted in developing countries (Mophosa and Mophosa 2020). Even though common challenges are cross-cutting on the management of e-waste, the least developed countries still lag due to factors like socio-economic conditions, demographic space, geographical orientation and industrial development level (ILO 2014).

There are also insufficient data on e-waste flows, routes and stocks in developed and developing countries. Baseline inventory consisting of hotspots, what routes the e-wastes take and where the e-wastes end is lacking. Despite Global E-Waste Monitor estimation of per capita e-waste generated in each country, developing countries have not made efforts to supplement local inventory with accurate data (Global E-Waste Monitor 2017).

Resolving some of these challenges will mean that the gaps and loose ends in legal and policy frameworks must be closed (Osibanjo and Nnorom 2007). For example, many working models and current frameworks do not address the roles of stakeholders. In many instances,

there are gaps in unstructured *take-back systems*. The working model between formal and informal collectors is not harmonised. Consequently, lack of collection and take-back structure leads to total recycling in the post-consumer collection since the informal collectors are only interested in short-term economic gains (Global E-Waste Monitor 2017). There is a call for an organised and streamlined system that integrates informal and formal recycling model for e-waste supported by various stakeholders in the value chain (Lakshmi et al. 2010). These challenges are more fundamental in Africa than anywhere else, given their primarily non-participative or non-consultative policy regimes and weak institutional capacities to effectively implement both national and transnational policy frameworks, as elaborated below.

Policy legislative frameworks on e-waste in Africa

Since e-waste constitutes a health emergency and global environmental concerns involving groups and generations, several legal, regulatory and policy frameworks governing e-wastes management have been drafted in Africa (Frazzoli et al. 2010). In particular, Basel Convention was approved by member countries to manage the transboundary movement of hazardous waste and tackle issues surrounding the management of e-waste. The Convention generally imposed strict and stronger mismanagement of hazardous wastes within Africa (Tutu n.d.). Article 4 of the Convention articulates a need for proper management and waste reduction, including urging countries to manage waste within their borders and keep their production sources closer to where waste is managed. Further, the article promotes using incentives as a way of waste pollution prevention and waste reduction. Consequently, countries are prohibited from importing and exporting covered wastes to non-parties.

However, the Convention is inadequate on enforcement strategies for countries that violate the treaty. Article 12 of the Convention recognises that parties should adopt procedures and liabilities rules that are efficient and appropriate for any damages imposed from the cross-border movements of hazardous wastes (Basel Action Network 2011). Another policy restricting the use of Hazardous Substances in Electrical and Electronic Equipment (RoHS) Directive (2002/95/EC) was adopted in 2003. Its sole purpose was to restrict the usage of a hazardous substance in electronic equipment (European Commission 2000). However, due to the exemptions allowed in the limits of hazardous metals used, challenges persist in environmental conservation (ibid).

Additionally, the Bamako Convention was held in Mali in January 1991. It came to force in 1998 after the negotiations by 12 members of the Organization of Africa Union at Bamako. Bamako Conventions addressed failures in the Basel Convention that suppresses the trade of hazardous e-waste to the least developed countries and from the assertion of developing nations exporting toxics to Africa (Devi et al. 2004). It was formatted and strengthened to ensure the prohibition of hazardous waste imports from developed countries. Further, it does not comprise or make exemptions and concessions on any hazardous e-waste, including radioactive materials outlined in the Basel Convention (Devi et al. 2004). The Convention has fallen short of standards due to its selective applicability in e-waste's transboundary movement within Africa, mainly subject to stringent regulatory control. This setback has posed potential risks and threats where relatively developed countries within Africa can exponentially transport e-waste across Transboundary within Africa (Panwal 2018).

In 2008, the Durban Declaration on e-waste management was unveiled to promote individual country sustenance of their own processes to define their actions and responses regarding the e-waste problem. Durban Declaration encourages countries to review their existing policies, legal and existing legislation to comply with international waste management legislation (Schluep et al. 2009). Table 52.1 presents a comparative case analysis of the

Table 52.1 Comparative sustainability case analysis of e-waste in Kenya, Rwanda and Ethiopia

<i>e-waste sustainable model</i>	<i>Kenya</i>	<i>Rwanda</i>	<i>Ethiopia</i>
Transboundary shipment	Yes	Yes	Yes
Extraction and recovery of e-waste	Yes	Yes	Yes
Collection and segregation	Yes	Yes	Yes
Sustainable and efficient recycling technology	No	Yes; established the Rwanda Resource Efficient and Cleaner Production Centre	No
Informal recycling	Backyard recycling, primitive, crude and open burning	Smelting and acid bath in the unorganised/informal sector crude and open burning/roasting	Backyard recycling, primitive, crude and open burning
EPR and formal recycling	No	No	No
Advanced Recycling Fee (ARF) for electronics	No	No	No
Information collection, dissemination and awareness about the harmful impact of e-waste	No	No	No
Informal sector job opportunity	Yes	Yes	Yes
Semi-informal sector	Yes	Yes	Yes
Small-scale formal recycling	No	Yes	No
Sustainable demand for UEEE	Yes	Yes	Yes
Higher life cycle of EEE	Low	Low	Low

sustainable model (Abhishak et al. 2016) of how our selected countries have adopted e-waste policy frameworks above based on the three broad pillars of (a) environmental aspects, (b) economic aspects and (c) social aspects in e-waste management. The proceeding discussions delve further into this.

E-waste policy frameworks in Kenya

Electronic equipment and devices increase every day in Kenya, including the rate at which they become obsolete and replaced. In Kenya, Article 42 of the Constitution outlines that ‘every person has the right to a clean and healthy environment’. Thus, the Constitution provides regulations that ensure the safe disposal of hazardous and toxic wastes from electronic devices and equipment. The Environmental Management Act Section 93 prohibits removing chemicals or substances hazardous on land, water or other environment segments. The Act is in line with the international legal principle of polluter pays since it outlines the cost liability of the rehabilitation of damages to the individual who contributed to the damage.

This corresponds to principle 16 of the Rio Declaration, which requires governments to internalise domestic policy principles.

Kenya also subscribes to the Basel Convention. Through the country's environmental protection agency, the National Environmental Management Authority (NEMA), the government drafted regulations to provide mechanisms, policies, institutional and legal frameworks for the collection, safe disposal, and recycling of electronic waste. The government made attempts to adhere to public participation principles while drafting the regulations to promote compliance among the citizenry to provide effective mechanisms such as electronic waste collection centres, e-waste recycling, treatment and refurbishing as the primary strategies for dealing with electronic waste (CAK 2014).

Environmental management in Kenya has anchored Environmental Management and Coordination Act of 1999 (EMCA) and the revised EMCA cap 387 EMC (waste management) regulations of 2006, the National Environmental Policy of 2013, the national solid waste management strategy 2015 and the E-waste guidelines of 2010. Currently, E-waste is categorised as hazardous waste under EMCA cap 387. Its regulations prohibit the transportation, handling and disposal of electronic wastes without licencing by the National Environmental Management Authority (NEMA). Additionally, the e-waste guideline was developed by the National Environmental Management Authority (NEMA) in 2010 to enable the government, learning institutions, private sector and other stakeholders to effectively manage electronic waste to enhance the environment's protection (NEMA 2010).

These guidelines include approaches to enhance environmental awareness, environmental protection and electronic waste disposal: the Constitution, 2010's Article 69 obliges the government to eliminate any activities or processes that degrade the environment. Further, any protocol and Convention ratified by the country is considered part of the National Laws. Kenya's National ICT Policy of 2006 requires that institutions and entities dealing in electronic equipment or devices must demonstrate their readiness to minimise the effects of electronic equipment on the environment before the Communications Authority of Kenya can renew their licences. This ensures that institutions and entities generate electronics to conserve and protect the environment from the harmful effects of electronic waste equipment. The updated National ICT Policy adopted in 2019 promises to regulate the disposal and recycling of e-waste through an incentive approach to stakeholders, investors and innovators who develop ICT recycling and waste disposal facilities that conform with global safety and environment standards.

The enactment of the electronic waste regulations under the EMCA 1999 is in its final stages in Kenya. These regulations outline a framework for regulating the handling of e-waste by diverse stakeholders in Kenya. The Public Procurement and Disposal Act, Number 33 of 2015, Part XIV, governs public assets' disposal in public entities. Section 165 (2) prescribes that radioactive and electronic waste disposal shall be done only by persons or entities licenced to handle the respective electronic waste under section 88 of the Environmental Management and Co-ordination Act of 1999. However, the Act does not outline the consideration of the end-of-life effects of electronic equipment procured (DFID 2017).

Implementation gains and challenges

Kenya has successfully instituted environmental agencies such as the National Environmental Management Agency to enhance various waste policies and regulation, including electronic waste. The Ministry of Environment and Natural Resources (MENR) created an enabling environment through a legal, policy and regulatory framework. It also adopted legislation and policy regulations from Basel conventions to control transboundary movements of hazardous

waste adopted in 1989 (Waema and Mureithi 2008). However, the procurement policies in Kenya do not support the effective implementation of e-waste policies and regulations.

While the environmental agencies have succeeded to some extent, more is required to be done in Kenya to manage electronic waste effectively. The Kenyan government has not implemented policies and regulatory frameworks for e-waste management. There is no recycling policy on electronics in Kenya. For instance, there is no specific legislation governing e-waste management by public entities that annually procure and dispose of significant electrical and electronic waste. The Public Procurement Oversight Authority (PPOA) overseeing the public procurement process hardly considers the end-of-life effects of electrical and electronic products in the public sector.

However, some environmental regulations exist that are not explicitly designed for e-waste but can help implement e-waste policies and regulations. These include the waste management regulations of 2006 enforced by NEMA. These legislations help control the generation, handling, transportation, storage and disposal of waste threatening the environment, public health and natural resources. The ICT policy instituted in 2006 by the Ministry of Information and Communications (MoIC) demands electronics dealers to demonstrate their willingness to minimise the effects of their equipment on the environment for the government to renew their operating licences renewed. However, their implementation is marred by corruption, leading to poor electronic waste disposal, especially in Nairobi.

Similarly, despite the ratification of two international conventions for explorations of near end-of-life electronics, Kenya continues to receive metric of tonnes of second-hand electronics equipment due to lack of enforcement in existing regulations and inadequate regulatory and policy structures to safeguard health, environmental and social consequences of e-waste (Waema and Mureithi 2008).

E-waste policy frameworks in Ethiopia

Ethiopia has shown considerable progress in waste management in Africa. Having ratified the Basel Convention on liability and compensation on 8 November 2003, policies and legislation for sound management of hazardous environmental management remain premature and ineffective in preventing illegal e-waste dumping (UNEP 2019). Marking an important step towards preventing electronic waste challenge in Ethiopia, the Ethiopian Electronic Waste Management Project was launched officially in 2013. The project focused on advancing electronic waste prevention and management activities in Ethiopia to help the country develop the technical, legal and administrative capacities to effectively handle the expected growth in electronic waste in an environmentally and socially sound manner.

The Ethiopian government's Environmental Protection Authority and Ministry of Communication and Information Technology led the formulation and implementation of the electronic waste management project. Other partners in formulating the project and developing strategic plans included the United Nations Industrial Development Organization, the United Nations University and the United States Environmental Protection Agency, and stakeholders in the private sector.

The project's launch was followed immediately by the *National Open Electronic Waste Stakeholder Forum* on 19 April. This forum discussed the project's objectives and possibilities for cooperation among numerous stakeholders. These included Ethiopian small- and medium-sized enterprises, non-governmental organisations, private sector institutions, Ethiopian governmental agencies, foreign and international organisations and individuals. Being one of Africa's most rapidly developing economies, Ethiopia is projected to experience an

increase in electrical and electronic equipment imported into the country in the coming years. Simultaneously, the relative cost of acquiring electrical and electronic equipment will decline drastically, leading to a high volume of electronic waste disposed of. As a result, policymakers have predicted a reduction in Ethiopian citizens' willingness to store non-functioning electrical and electronic equipment, thus increasing the volume of electronic waste and presenting considerable social and environmental challenges related to the disposal and recycling of electrical and electronic equipment.

Implementation gains and challenges

The development and adoption of sound electronic waste management policies, processes and technologies are a central component of the Ethiopian electronic waste management and are upgrading the existing Computer Refurbishment and Training Center and Electronics De-manufacturing facility located south of Addis Ababa. To promote sustainable long-term solutions for Ethiopia and the region, the Ethiopian government also seeks to establish linkages with neighbouring countries to ensure the effective implementation of electronic waste management. The Ethiopian Standards Agency recently began regulating the quality and standards of some electronic products such as wires, cables, ICT equipment, batteries, lumps and related products imported into Ethiopia.

Ethiopian electronic waste management policy aims to prevent and promote institutional and political support to manage electronic waste. This will foster the formation of an environmentally sound service industry and assist in extending the lifetime of electrical and electronic equipment, particularly personal computers. Ultimately, the policy focuses on creating job opportunities and enhancing the availability of refurbished electrical and electronic equipment, enabling micro-, small- and medium-sized enterprises in Ethiopia to access affordable hardware that can improve sharing best practices with neighbouring countries.

The government of Ethiopia and the city administration of Addis Ababa have outlined electronic waste management policy, rules, regulation and directives for proper implementation of the appropriate management of electronic waste. However, most policies, rules, regulations and directives lack effective management mechanisms for hazardous electronic waste and radioactive substances. These policies include proclamation No. 300/2002, environmental pollution control proclamation, article 4 sub-article 1–5, regulation No. 13/2004, waste management collection and disposal regulations of the Addis Ababa City Government, article 13 sub-article 1–4.

Again, the specific management of electronic waste legislation has not been incorporated into the Ethiopian Standards Agency's regulations. This implies that little effort has been made to adequately implement policies and regulations relating to hazardous electronic waste management in Ethiopia, particularly Addis Ababa, which has a significant accumulation of electronic waste. Further, the Ethiopian government does not have adequate physical resources, equipment and clear responsibility for implementing policies, rules and regulations for electronic waste management. There are also inadequate operational procedures for e-waste policy implementation, a lack of administrative priority and a lack of training and subject awareness in supporting electronic waste implementing electronic waste policies and regulations. There is a lack of adequate stakeholder partnership and integrated working modality to enhance policy implementation. This is further hindered by the lack of legal instrument in electronic waste management and the absence of a well-organised involvement by the private sector in implementing electronic waste management policies.

E-waste policy frameworks in Rwanda

Rwanda became a Basel Convention member on controlling the transboundary movement of hazardous waste and its disposal on 22 March 1989. The ratification was confirmed in presidential order no 29/01 of 24 on 24 August 2003. Like many developing countries, Rwanda experience exponential growth of e-wastes leading to the generation of hazardous wastes. Anchored in its National Development Plan, Rwanda projected improved computer usage, internet access, mobile growth and improved fibre network by 2020 (REMA 2011).

The Rwandese government developed an electronic waste policy to ensure comprehensive guidance for effective and efficient electrical and electronic equipment disposal through appropriate regulatory instruments and legal framework. The policy aimed to promote green development and also provide the country's sustainable economic growth. Therefore, Rwanda's National Electronic Waste Management policy aims at controlling the disposal of electronic and electrical equipment to conserve the environment. It also seeks to protect human health and develop a business niche in electronic waste management and recycling. It contributes to creating job opportunities for Rwandese.

In reducing the generation of electronic waste in Rwanda, the Ministry of Information Technology and Communication and the Rwanda Standards Board (RSB) established the Ministerial Guidelines No. 1 of 25 October 2011. This was to control the importation of re-furbished or used electronics and electrical equipment, regulating and restricting the importation of computers and electronic parts to reduce the electronic and electrical equipment's potential adverse effects on the environment. Additionally, Rwanda's Ministry of Trade and Industry, in partnership with the Rwanda Green Fund (FONERWA), established an electronic waste dismantling and recycling facility in Bugesera Industrial Park to handle the risks posed by poor electronic waste management of-waste.

Rwanda's electronic waste management policy vision aims to ensure effective and efficient electronic waste management for a safe environment and human health protection towards sustainable green economic development. The policy's objectives include minimising the adverse effects of electronic waste on the environment and human health through an appropriate legal and regulatory framework for electronic waste management. The creation of e-waste management facilities and investment in electronic waste management ensures the Sustainability of electronic waste management in Rwanda; Increase stakeholders' knowledge capacity by promoting the investment, education, and awareness of ineffective electronic waste management. The principles that guide Rwanda's Electronic waste management policy include Device life cycle, Resource recovery: Job creation and private sector development, and Sustainability.

Implementation gains and challenges

Unlike Ethiopia and Kenya, Rwanda is among the few countries in Africa that have effective electronic waste policy and regulations; the country has a state-of-the-art electronic and electrical waste dismantling and recycling facility, which is not available in Kenya and Ethiopia. The government is overseeing the development and implementation of e-waste management project through the Ministry of Trade and Industry (MINICOM). The government promotes ICT penetration in rural areas through one laptop per child programme and an off-grid rural electrification programme. This has led to the growth of electronic and electrical products, leading to e-waste. To effectively handle the generated e-waste due to government initiatives and programmes, the government partnered with other private institutions to rent warehouses for storing e-waste; this approach was costly and unsustainable. The government has therefore come up with a solution that takes a whole-of-life approach.

In 2008, Rwanda started engaging in policy discussions around how to manage its e-waste effectively. After consultations between the government and key stakeholders involved in the sector, support from the Enhanced Integrated Framework (EIF), the country successfully approved an e-waste policy in 2016 and began its implementation. This policy has recorded significant success in the management of e-waste in Rwanda. Enhanced Integrated Framework (EIF) has effectively worked in partnership with the government to trade into its national development agenda and implement e-waste policy. This has resulted in significant environmental gains, creating job opportunities and income-generating activities for thousands of people. As a result, Rwanda is currently ahead of Ethiopia and Kenya in terms of effective e-waste management.

However, some critical challenges are also at hand. The government failed to implement an effective policy or regulations for handling the e-waste generated from the government initiatives and programmes involving electrical and electronics. Consequently, the management of e-waste has become a significant challenge in Rwanda, just like in Kenya and Ethiopia. This is coupled with a lack of good environmental legislation, a lack of awareness and limited resources for implementing e-waste policies and regulations. Currently, e-waste in sub-Saharan countries such as Rwanda, Kenya and Ethiopia is predominately disposed of through open burning, dumping and landfilling. However, with heavy metals and other hazardous substances present in electronics, these methods have potentially severe implications for human health and the environment.

Conclusion and recommendations

E-waste disposal management is a significant environmental challenge in Africa's developing economies due to a massive stock of electronic waste that continues to pile in offices, homes and other storage facilities worldwide. From the above cases in Africa, we can conclude that e-waste recycling is a most significant challenge for Africa's policymakers. It should be noted that the e-waste generation phase takes two paths: (i) disposal occurs when domestic electronics reach their end-life becoming old or unused and (ii) through illegal importation of second-hand electronic waste. Governments, therefore, need to be at the forefront in formulating policies and regulatory frameworks and promoting strategies aimed at enabling broader participation in the effective management of the disposal of electronic equipment. Governments need to deepen Public-Private Partnerships (PPP) for a sustainable and robust infrastructure to facilitate an environmentally friendly electronic disposal management system and provide incentives for consumers to dispose of their waste electronic equipment or devices. The governments must consider encouraging Non-Governmental Organisations (NGOs), local investors and private business entities by providing them with incentives such as tax exemptions on electronic waste recycling equipment and locations for electronic waste management infrastructure and facilities. Besides, there is a need for legislation forbidding or regulating the importation of second-hand electronic equipment and systematic efforts to build local production of electronic equipment's that can be consumed and easily disposed of at home.

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PETROLEUM EXTRACTION IN AFRICA

A review of the local content policies for the oil industry in selected countries

Austin Dziwornu Ablo and William Otchere-Darko

Introduction

Many other countries have managed to secure socio-economic development by extracting natural resources. But, the situation is generally different in sub-Saharan Africa as in other emerging economies. Studies from Nigeria (Okpanachi and Andrews 2012), Sudan, Equatorial Guinea, Democratic Republic of Congo and Angola (Ovadia 2013), and Bolivia (Haarstad 2014) show how poorly managed extractive sector can lead to the so-called *resource curse* (e.g. Kopinski et al. 2013; Auty 1994). For several decades, scholarly debates on Africa's extractive industry focus on the inverse relationship between natural resources and development. However, recently grounded in *Africa Rising* discourse (Heilbrunn 2014; Fioramonti 2014), scholarly works emphasise natural resource-driven GDP growth in Africa.

This trend followed the sustained growth of GDP in many African countries since the 1990s, which increased expectations that African countries would rally their resource endowment for development (Frankema and Van Waijenburg 2018). Indeed, the analysis by UNECA and African Union Commission (2012) reports showed that many African countries are experiencing sustained growth despite a long period of stagnation between the 1970s and the 1980s. This is due to improved governance, better macroeconomic policies, management and business environment, abundant human and natural resources, urbanisation, and the rise in middle class. The steady improvement in socio-economic indicators, and efforts to bridge gender gaps and promote equality are central to the changes in many African countries. The Africa Progress Panel (2013) notes that Africa's continuous improvement in economic governance can protect countries against the 1970s boom-bust cycles. Africa's assets in the form of a youthful population for labour, rapid urbanisation, that triggers infrastructure development, and natural resources can promote economic growth (Africa Progress Panel 2013).

However, the discourse on Africa rising remains problematic, superficial, and it fails to consider the nature and contradictions associated with growths across the continent (Bush and Graham 2014). The recent decline in oil prices has posed significant budgetary constraints to African economies. Thus, the growth discourse glosses over Africa's dependence on the West and camouflages 'the unprecedented scale of the phenomenon of accumulation

by dispossession experienced by most of the continent' (Sylla 2014, p. 22). Overall, the increased investments in Africa's extractive sectors occur in secure enclaves (Ackah-Baidoo 2012) with limited benefits to society.

The quality of institutions, the rule of law, and local content policies (LCPs) have emerged as strategies critical to addressing the problems associated with resource extraction (Ablo 2019). LCPs that require foreign investors to use local personnel, goods, and services at each level of the extractive industry value chain are fast gaining grounds to ensure value capture from extractivism in Africa. This chapter comprehensively reviews LCPs in Ghana, Tanzania, and Cameroon, highlighting how they can foster inter-sectoral linkage between the petroleum industry and broader economies. We draw on the relational geography concept of scale – the constructed arenas of interrelated activity (Haarstad 2014) to argue that the extent of local participation in the oil industry is a function of cross-scalar interaction between actors at the local, national, and supra-national scales. While the LCPs are a step in the right direction, its current emphasis on achieving set targets of local participation at the expense of nuanced processes of integrating and promoting linkages between the oil and gas sector and economies is a significant shortcoming. Attention should be on strategies that will enhance local capacity through training and skill enhancement, technology transfer, research, and development, all of which will enable the benefits from the LCP to transcend the age of oil. The rest of the chapter is organised into four sections. The second section discusses the conceptual tool of scale in resource governance; the third section provides an overview of Africa's petroleum industry and local participation; the fourth section analyses LCPs from case study countries; and the chapter's conclusion is provided in the fifth section.

Petroleum governance and scale

The relational geography concept of scale emphasises the interrelatedness of processes across space (Herod 2010) and allows us to view the links between national, supra-national, and local scales of interactivity. For several decades, the discourse on natural resource and development in Africa emphasises weak and corrupt institutions. However, these views fail to account for how cross-scalar events influence development outcome. In this chapter, we use the scale as a conceptual lens to deconstruct how the relations between the state, multinational corporations (MNCs), and local actors shape local participation in the oil and gas sector.

According to Herod (2010), socio-spatial processes are the mechanisms that produce scale. The failure of African countries to capitalise on their resource endowments for development in the view of Ferguson (2005) stems from the tendency of extraction to take place in secure enclaves delinked from the broader economy (Ackah-Baidoo 2012; Auty 1994 Obeng-Odoom 2014). LCPs promote inter-sectoral linkages between the extractives and national economies (Bloch and Owusu 2012). In promoting LCPs, governments must balance maintaining a favourable investment climate to attract FDI and encourage local participation.

Scales exist relative to other scales and are embedded in socio-political and spatial processes that transform them. By adopting a scalar approach, we can better understand how processes on one scale shape outcomes on another scale. As Swyngedouw (2004) notes, the consideration and mobilisation of geographical scale influence the success of social strategies. For LCP to link local businesses, labour, and the rest of African economies with the oil and gas sector, cross-scalar events will play a significant role.

Thus, the scalar perspective helps disentangle spatial complexities in LCPs. Whether they are regulatory orders, networks, or discourses, scalar configurations constantly change and

are conditioned by socio-political dynamics (Swyngedouw 2004). Thus, tension exists across scale as the interests of the state, MNCs, and local non-state actors must be synchronised carefully to ensure that LCPs do not stifle foreign investments but simultaneously create the space for local participation. In effect, the relational concept of scale is an apt analytical tool for academics and policymakers to understand better how the pursuit of LCP is actualised and its impacts on various stakeholders in the petroleum sector.

The ways 'How incentives and interests are shaped from above or below' (Haarstad 2014, p. 981) influence the success of LCPs. Thus, local conditions affect the investment strategies adopted by MNCs. Negotiations, contestation, and power play in the interactions between the state, MNCs, and locals concerning LCPs are vital. For Swyngedouw (2004, p. 35), scale within this context becomes the arena 'where cooperation and competition find a fragile stand-off'. By viewing extractive sector-led development as a problem of scale (see Haarstad 2007), academics, policymakers, and other stakeholders can rethink the strategies for policy implementation.

Oil and gas extraction in Africa and local content policies

A brief overview of oil extraction in Africa

Global oil reserves grew by about 38% between 1990 and 2010, standing at 1.4 trillion barrels (Bridge et al. 2013) due to enhancing society's geological knowledge, technological advancement, various political factors, and production economics (de Oliveira 2007). Oil and gas exploration in offshore environments has increased in the last decade, with the Gulf of Mexico, Brazil, and the Gulf of Guinea with the most activity (Bridge et al. 2013). Since the 1990s, MNCs investment in Africa has increased significantly, although the region accounts for less than 10% of the world's proven oil reserves (Bridge and Le Billon 2013). Some factors accounting for the increasing investment in Africa are the high quality of crude that is easier and cheaper to refine, the inexpensive means of transporting crude by seas, and favourable contracts by African states (Heilbrunn 2014). Most of the recent African oil and gas discoveries are offshore, meaning MNCs who have had to contend with violent conflicts in the Middle East and insurgency in the Niger Delta can continue production even in conflict situations.

Local content in the oil and gas sector

After independence, many sub-Saharan Africa countries pursued state-led industrial policies (Whitfield 2018) to stimulate the structural transformation of the economies but failed. As the efforts to promote extractive sector-led growth intensified, increasing attention is paid to proper institutional context for resource governance (Mehlum et al. 2006). LCPs have become essential policy tools in recent times. The emphasis on LCPs is based on its successes in Norway, Malaysia, and Brazil (Ovadia 2014). LCPs enable governments to improve value capture from the extractive sector by providing inter-sectoral linkages beyond the financial advantages from the resource revenue. These linkages can be forward, backward, fiscal, or consumption linkages (e.g. Ovadia 2016).

The fiscal linkages are tax receipts by governments in royalties, surface rentals, carried and participation interest, and corporate income tax. Forward linkages are achieved if countries can process the commodities for export (Bloch and Owusu 2012). With low manufacturing industries, many African countries are unable to process resources for export. The consumption linkages emerge through the expenditure of profits and wages accruing from

extractive activities. The backward linkages are achieved through activities in the domestic economy to supply and service the extractive sector. Backward linkages present the clearest opportunity for local participation in Africa's oil and gas industry (Ablo 2020).

The importance of LCPs in natural resource extraction, particularly in Africa, is due to the potential for resource extraction to occur in enclaves not linked to the national economies (Oteng-Ababio 2018). According to Tordo et al. (2013) and Dobbs et al. (2013), the earliest use of LCP as a mechanism to promote development emerged in the North Sea in the 1970s. Countries like Norway not only pioneered LCPs but managed to diversify their economy and promote growth. For Ramdoo (2015), the increasing number of states passing LCPs represents the changing focus in the policy debate on the role of extractive sectors in development. Countries like Norway that have successfully implemented LCPs demonstrate the potential of state-led economic development (Ovadia, 2016). Since the 1980s, many African countries have implemented the IMF/World Bank-led market reforms that saw the roll-back of the state from the economy with disastrous outcomes (Whitfield 2018). Angola and Nigeria, the two leading oil producers in Africa, implemented LCPs in their oil industries in 2002 and 2010, respectively, although both countries have been producing oil since the mid-1950s.

A significant point of contention regarding LCPs is the lack of a single accepted definition of 'local content'. Local participation is multi-dimensional with the varied scope and depth and application in various sectors and across scales (Ramdoo 2015). Irrespective of the industry, a critical question that policymakers must address is what exactly constitutes 'local'. Newmont Mining Corporation prioritises 'local local' companies in their LCP in Ghana's mining sector (Ramdoo 2015, p. 2). The company prioritises Ghanaian businesses situated within the vicinity of its mining operation.

Nigeria's LCP avoids the ambiguity of what 'local' means by referring to the LCP as *The Nigerian Oil and Gas Industry Content Development Act* to overcome the complex definitions of the word. The difficulty of defining 'local' in LCPs is a scalar problem since it can mean the vicinity of resource extraction, the administrative region, or the national economy, depending on the interest of actors and power dynamics. Critics consider LCPs as protectionist measures that give preferential treatment to local companies and people (Hufbauer et al. 2013). In the context of African countries, protectionism may be necessary as many businesses without any state support and protection cannot compete with MNCs with superior capital, expertise, and technology.

Thus, LCPs backed by capacity development to foster extensive local participation in the petroleum sector are essential for inter-sectoral linkages between oil and gas extraction and economies. Localising the petroleum sector supply chain can produce varied outcomes, like a reduced operational cost for MNCs, increased value capture by local firms (IPIECA 2011), and legitimising elite-capture of resource rent (Ovadia 2012). Successful LCPs can 'mitigate and manage social and political risks due to rising expectations domestically for a better and more equitable distribution of wealth' (Ramdoo 2015, p. 1).

Unpacking LCPs from selected African countries

LCP and local participation in Ghana's oil industry

By 2013, Ghana's *Petroleum (Local Content and Local Participation) Regulations 2013*, L.I. 2204 was passed. The L.I. 2204 provides the framework for Ghanaians' participation at each oil and gas industry value chain. Local content here means 'the quantum or percentage of locally

produced materials, personnel, financing, goods and services rendered in the petroleum industry value chain and which can be measured in monetary terms' (Regulation 49 of L.I. 2204) (Ministry of Energy 2013, p. 27).

Regulation 4 (L.I. 2204) requires foreign companies to enter joint ventures with local firms and open equity to local partners before they can obtain a licence to promote Ghanaian ownership in the oil and gas industry. The Ghana National Petroleum Corporation (GNPC) is a party to all upstream petroleum agreements in Ghana by law. By this regulation, local ownership will ensure revenue retention from the oil and gas sector in the national economy since the repatriation of capital affects African economies (Sowman and Wynberg 2014). While this legislation is apt, apart from the GNPC, it is unclear the extent of local ownership in the oil and gas industry. Currently, there are limited data on the partnership between MNCs and local oil companies, making it challenging to ascertain Ghanaian ownership in the oil industry.

Additionally, Ghanaian businesses lack the capacity and capital for significant investments in the sector. Recent studies by Ablo (2019, 2020) and Ovadia (2012, 2014) show that local investments in the oil industry are limited. Thus, the capital intensity of upstream petroleum activities is mainly beyond the capacity of most indigenous Ghanaian companies. So, even if, at the national scale, L.I. 2204 is used as a mechanism (Haarstad 2014) to promote linkages between the oil and gas sector and the broader Ghanaian economy, the lack of local investment capacity becomes a limiting factor.

Another essential aspect of local participation is joint ventures between local and foreign companies. Joint ventures serve dual purposes as it provides the avenues for technology transfer to indigenous Ghanaian companies by MNCs and supports local ownership in the oil industry. The capacity challenges of Ghanaian businesses, however, limit the effectiveness of the regulation. The majority of companies in Ghana are small- and medium-scale enterprises (SMEs) (Quaye and Mensah 2019) that are operating with low capital, expertise, and personnel. Indeed as shown by Ablo (2020), fundamental issues like simple record keeping, time management, and responsiveness to clients remain a bane of Ghanaian businesses that attempt to secure contracts in the oil and gas industry. The Enterprise Development Centre (EDC) established to overcome this weakness also failed due to politicisation and poor planning (Ablo 2020; Ayanore 2021).

The majority of Ghanaian SMEs that have taken root in the oil industry are also fronts for foreign companies (Ablo 2020). Thus, the opportunity for technology transfer from foreign to local companies is lost. Therefore, the implementation of LCPs and how they can translate into local participation is greatly determined by events and processes at the local and supra-national scales. Effective local participation involves attention to the scalar challenge of managing the dynamics of actors and their competing interests (Otchere-Darko and Ovadia 2020). Studies by Overå (2017) and Ovadia (2016) show that the Petroleum Commission of Ghana does evaluate the contractual agreements, payments, and obligations between foreign and local companies and, thus, creates the environment for fronting.

Additionally, Ghana's LCP aims to promote Ghanaians employment at each oil and gas industry value chain. Regulation 9 (L.I. 2204) requires first consideration of qualified Ghanaians for any available employment opportunities. The first schedule of L.I. 2204 outlined the minimum number of Ghanaians a foreign company must employ. While the statistics on the number of Ghanaians employed in the oil and gas industry are unavailable, studies show that Ghanaians are usually employed in a lower and mid-level position. Ablo (2018) argues that unfair labour practices like casualisation limit Ghanaians' employment and progress in the oil and gas sector regarding the categories of jobs and dynamics of employment. Practices

of Ghanaian recruitment companies that under-cut Ghanaian employees in the oil industry in many ways also limit the benefits Ghanaian employees derive.

Regulations 20 and 21 (L.I. 2204) require foreign companies to submit a research and development plan before commencing their activities in Ghana. Regulation 11 (L.I. 2204) requires that preference be given to indigenous Ghanaian firms in the bidding process to localise the oil and gas industry's supply chain by maximising local procurement. According to Ovardia (2016), between US\$584 and US\$600 million worth of contracts have been awarded to Ghanaians. However, this figure constitutes less than 5% of the total value of contracts awarded in Ghana's oil and gas sector. The constraint is that most of the Ghanaian companies cannot meet the various industry standards. This situation is due to the small scale at which over 70% of Ghanaian businesses operate. These SMEs lack the required certification from international agencies such as the International Organisation for Standardisation (ISO) and the American Bureau of Shipping (ABS). They also lack the level of experience required and the financial capital (Overå 2017).

Tanzania's policies and practices on local content

Tanzania first discovered commercial quantities of offshore gas (2213 bcf) in 1974–82 along the Lindi-Mtwara coast (FEST 2015). Production, however, started in 2004–07, with the gas utilised locally. Further offshore discoveries were made in 2010 in larger quantities (57 tcf), partly produced for domestic use with total production estimated 2023–26 (Lee and Dupuy 2016). In 2014, Tanzania introduced a draft Local Content Act as part of the 2015 Petroleum Act. The LCP defines local content as 'the quantum of composite value added to or created in the economy of Tanzania through deliberate utilisation of Tanzanian human and material resources and services in the petroleum operations to stimulate the development of capabilities of Tanzanians and to encourage local investment and participation' (URT 2017).

Tanzania's LCP focuses on four areas: enhancing employment, local procurement, technology transfer, and research and development. First, petroleum companies must ensure that qualified Tanzanians are prioritised in hiring and training in the skilled sector. According to the LCP schedules, up to 60% of locals should be employed for upstream positions in the first ten years. In the midstream and downstream, semi-skilled and particularly unskilled positions can only employ Tanzanians (URT 2017: sections 5, 8, 12, and 14). Second, companies must use local service providers to procure goods and services (5, 8). Suppose such goods and services are unavailable locally; companies can secure them from joint ventures (with minimum 25% local ownership) or enter other business arrangements guaranteeing a 10% minimum local participating interest. Tanzanian citizens are also given priority in technology transfer, research, development, and innovation in petroleum activities (8). The law requires prioritising technology transfer in the supply chain, joint ventures, and participating-interest arrangements (URT 2017, pp. 17, 19).

The 2012–13 protests (and violent state response) in Mtwara against the piping of newly found gas to Dar-es-Salaam (Ahearne and Childs 2018) reflect the scalar dilemma resource extracting nations face. The question of scale takes particular form within national institutional attempts to monitor implementation LCPs. In Tanzania, LCPs are monitored and enforced at the national scale through the Minister of Energy and Minerals (tasked with policymaking and monitoring). The critical implementing institutions are the Petroleum Upstream Regulatory Authority (PURA) and the Energy and Water Utilities Regulatory Authority (EWURA) for midstream and downstream. PURA implements LCP policy through, among others, negotiation, approval, compliance monitoring of agreements and

contracts, as well as recruitment and training for Tanzanians (Kinyondo and Villanger 2017). EWURA also promotes the procurement of local goods and services in the entire value chain, i.e. in licence approval, tariff reviews, health safety and environmental standards monitoring (Kinyondo and Villanger 2017). Under the LCP law, companies must produce and implement annual LCP plans, work-programme LCP plans (with semi-annual reports), and technology transfer plans (with yearly reports) to the Minister for Energy and Minerals.

The local content plans should also contain budgets for promoting research and development, i.e. education, training, research, and practical attachments. Companies are also expected to produce five-year procurement plans for local insurance, engineering, financial, and legal services and goods to be procured. PURA and EWURA are expected to review companies' plans and reports to ensure adherence to the schedules in line with monitoring frameworks. Companies are also mandated to allow these agencies to investigate and access records to verify local content reports (URT 2017). The national scale, therefore, becomes the arena for monitoring compliance.

Additionally, Tanzania's LCP attempts to overcome enclave tendencies (Bloch and Owusu 2012) by using fiscal incentives to create inter-sectoral linkages with the local scale. In section 19, specific local content projects from foreign companies (i.e. technology capacity training and petroleum research centres) and local companies (production factories and units) may benefit from tax incentives (URT 2017).

There is also evidence of companies and international agencies emphasising 'social licence projects to gain broader appeal at the local scale instead of just using LCP frameworks'. A notable project is the 'Skills for Oil and Gas in Africa' Project. Funded by Shell and German, UK, and Norwegian governments, the project aims to 'reduce the skills gaps in the petroleum and associated sectors and assist partner governments in preparing their workforce for upcoming opportunities in the private sector' (Bezu et al. 2018). There are also government programmes to equip locals with skills for the petroleum industry. These programmes are initiated by VETA (the Vocational Educational and Training Authority), a parastatal agency charged with facilitating, financing, and coordinating vocational training activities in Tanzania (FEST 2015). About ten Lindi-Mtwara youth access VETA's training yearly. VETA also partnered with the B.G. Group to provide skills training for 840 students in Lindi-Mtwara. The Ministry of Energy and Minerals also sponsored 50 Lindi students to undertake vocational education courses to enhance their employment prospects in the gas industry (Shanghvi 2014).

However, even for projects that generate employment, these employment prospects are seasonal. Communities in Lindi-Mtwara also lack the skills to attain long-term employment opportunities in the oil and gas industry. Estimates show that an individual oilfield in the new Lindi-Mtwara reserves would create a maximum of 400–500 long-term employment opportunities due to its capital intensity (Roe 2017). For instance, gas exploration activities by B.G. Group in 2012–13 employed over 960 Tanzanians; however, these were seasonal, primarily construction jobs (FEST 2015). The Dangote Cement Factory in Mtwara should also create about 5,000 employment opportunities (with a projected 75% from Mtwara), although no evidence exists of these employment numbers (Shanghvi 2014). Hence, the requirement for semi-skilled and particularly unskilled jobs can be satisfied by companies temporarily. This temporal dimension creates a constant scalar flux. Unskilled jobs are available to locals for short periods, and long-term skilled jobs are only accessible to non-locals and the international workforce.

In effect, the implementation of Tanzania's LCPs leaves a scalar disjuncture compared to its policy requirements. As the former head of a Tanzanian NGO criticises, these LCPs are 'not local, without content, and lacking genuine policy direction. They take 'local' to mean

national, based on the view that a sophisticated industry requires sophisticated – meaning foreign – people’ (Ahearne and Childs 2018, p. 22). This critique points at the neglect of subnational scale in a gas industry that is international in scope and at best centralised at the national level. Such criticisms attempt to situate the subnational extraction regions as the proper scale of LCP.

Scaling up expertise in Cameroon’s local content policy

Cameroon first discovered oil in 1947, with subsequent commercial production in 1977 in its largest offshore Rio Del Rey Basin. The country has an estimated off/onshore reserves of 200 million barrels, with daily production at 63,000 bpd (Baiye 2020). In 2008, petroleum accounted for 70% of Cameroon’s GDP (Baiye 2020). In 1999, Cameroon introduced its key petroleum code (the 1999 Petroleum Law 99/013), amended 20 years later to include the LCP (Local content Law 2019/008 of 25 April 2019). Section 1 of the amended Petroleum law defines local content as ‘all activities of the national petroleum industry relating to local capacity building, use of local human and material resources, technology transfer, use of local industrial and service companies, and the creation of measurable value-added for the local economy’ (PRCM 2019). Cameroon utilises Petroleum Sharing Agreements (PSAs) and other contracts with MNCs to enhance knowledge, finance, and technological transfer (Baiye 2020).

Sections 86–90 of the petroleum law spells out Cameroon’s LCPs, focusing on three key areas, human resource development, local enterprise, and industry development, as well as technology transfer (PRCM 2019). Under human resource development, petroleum contracts are required to include vocational and technical training programmes for Cameroonians to ‘scale up their skills in the petroleum trades’ (PRCM 2019: sections 87–2a). Companies are ‘to recruit qualified Cameroonians in all socio-professional categories and at all positions in case of equal competence’ (PRCM 2019, p. 88). There are significant skills deficiencies within Cameroon’s science, technology, engineering, and mathematics fields and a lack of oil and gas experts. Cameroon’s LCPs have been introduced to deal with these skills shortages (Baiye 2020). The concept of scale is also transcribed into upskilling of expertise for state and local actors. However, there are no specified minimum local employment schedules or criteria for MNCs against which a future scale-up of skill development could be measured. These criteria are specified in contractual commitments between MNCs and the state (particularly the Minister in charge of hydrocarbons responsible for implementing and monitoring LCPs). Hence, these skill requirements are determined on a case-by-case basis. The reference to ‘socio-professional categories’ is also vague (PRCM 2019, p. 88). Therefore, the lack of industry-wide LCP skill requirements and criteria counteracts the implied future LCP employment goals in Cameroon.

Second, Cameroon’s LCP aims to enhance local enterprise and industry development. Specifically, to prioritise the award of petroleum-related contracts (construction, insurance, goods and services, materials, equipment, and product supply) to ‘companies under Cameroonian law that have their registered offices in Cameroon and meet internationally recognised standards’ (89). Here, the LCP does not specify that priority will be given to a nationally owned company. Thus, an MNC with a registered operating office in Cameroon could benefit from such preferences. Indigenous companies without much capital cannot compete with MNCs. Additionally, Cameroon lacks LCP specifications for mandated joint ventures between local companies and MNCs. Hence, this stifles local enterprise and industry development possibilities and raises various scalar implications for Cameroon’s resource governance.

Finally, Cameroon's LCP codes (sections 86–90) do not specify any criteria of what constitutes technology transfer and how progress will be measured, aside from the broader PSA obligations for technology transfer (Baiye 2020). The PSA contracts are inadequate tools due to 'weak [monitoring and implementing]' institutions (Baiye 2020, p. 13). Cameroon's LCP landscape is characterised by a non-comprehensive petroleum code, weak monitoring institutions, limited workforce capacity, and lack of capital (Baiye 2020). Despite the various fines for LCP non-compliance (between 200 and 500 million Francs; PRCM 2019), the ineffective regulatory and institutional environment perpetuates non-compliance (Baiye 2020). However, the national scale of monitoring is inadequate in enforcing LCPs, as a way to facilitate investment flows from MNCs.

Conclusion

The need to foster positive synergy between natural resource extraction and societies' social and economic development is the driving force behind LCPs. This is particularly important in most developing economies where natural resource wealth has had rather adverse development outcomes. In recent times, increasing emphasis is placed on robust regulatory regimes that will enable developing countries to harness and equitably distribute wealth from the extractive sector to promote a broad-based social and economic transformation of society. As part of these institutional reforms to ensure African countries benefit from their oil and gas industry, LCPs were passed. The LCPs aim at promoting linkages between the petroleum sector and the broader national economies. They focus on various targets measured in terms of employment, the sourcing of local goods and services, and the domicilisation of the operations of foreign companies. However, with little emphasis and enforcement of processes that integrate local actors into the petroleum industry value chain, the extent to which LCPs can benefit the African societies is limited. Similarly, local actors' abilities to meet the standards of MNCs, the ability of states to enforce regulations, and the enhanced capacity of local firms determine the extent of local participation in the petroleum sector. Thus, cross-scalar processes, actors, and relations influence how LCPs can drive broad-based socio-economic development that has eluded many resource-dependent SSAs.

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THE UNINTENDED INDUSTRIAL POLICY BENEFITS OF COVID-19 IN AFRICA

Julius Kiiza

Introduction

This chapter examines a seemingly heretical subject matter, that is, the unintended beneficial impact of the otherwise disruptive novel coronavirus (SARS-CoV-2) and the disease it causes code-named COVID-19 (e.g. Ssali 2020). First detected in Wuhan, China in December 2019, COVID-19 was declared a “Public Health Emergency of International Concern” on 30 January 2020 and reclassified as a pandemic on 11 March 2020 (WHO 2020). That COVID-19 knows no social, political, gender, or racial boundaries is no longer debatable (WHO 2020). What has escaped scholarly scrutiny is the positive albeit the unintended beneficial impacts of COVID-19 (Baldwin and Eiichi 2020). Are there verifiable industrial policy dividends of COVID-19?

This question is important for two distinctive reasons – one theoretical and the other pragmatic. Theoretically, free-market fundamentalism – which has dominated national and global political economies for 40 years – associates globalisation with the sovereignty of private capital over sovereign states (Bhagwati 2004). Globalisation arguably signifies the supremacy of economic liberalism over economic nationalism. It signifies the death of country-specific industrial policies that are theoretically faulted for undermining the market’s allocative efficiency and promoting patronage politics (Kelsall et al. 2010).

Pragmatically, however, COVID-19 appears to have induced the resurrection of economic nationalism and its nationalistic operational tool, that is, industrial policy, in defiance of market fundamentalism. New industrial policies blossomed in the USA under Donald Trump’s economic war against China (Wei 2019; Denmark and Abraham 2020; Selmi 2020). Joe Biden, who succeeded Trump as president, has upheld Trumpian economic policies under the “Made in America” nationalistic policies (The White House 2021). The new nationalistic industrial policies are also evident in China in its retaliatory policies against the USA and the UK (which succumbed to US political pressure to ban Huawei 5G equipment from the UK by the end of 2020). Huawei was faulted for being a Chinese company, not for lacking competitive capabilities. COVID-19 has also triggered vaccine nationalism – what Condoleezza Rice (2008) would call the primacy of the national interest over “the interest of an illusory international community” (Nye 2002; Vasilyeva 2021).

This chapter focuses on Mauritius and Uganda against the backdrop of industrial policy resurrection in the world's two largest economies – China and the USA. The aim is to understand the role of COVID-19 in inducing state elites to adopt country-specific industrial policies (in defiance of the globalisation orthodoxy). To discern positivity in the negativity-infested ecosystem is not to discount the existential threat posed by COVID-19. Indeed, COVID-19 disrupted the governance systems of all countries. It disrupted ways of doing business and travelling. Powerful airlines and world-class companies were crippled. Only the adaptive digital corporations (e.g., Google and Huawei) have a fighting chance, thanks to their ability to leverage digital spaces. Notwithstanding these negativities, is COVID-19 associated with any observable industrial policy benefits?

To inquire into the COVID-induced industrial policies is not to claim that pre-COVID Mauritius or Uganda had no industrial policies (Uganda NDPIII 2020; UNIDO 2020). Nor does this chapter allege a clinical cause-effect relationship between the COVID-19 pandemic and industrial policy. Rather, I examine the contribution of, not the attribution to, COVID-19 (given the absence of complete baseline and longitudinal data on the “novel” (or “new”) coronavirus).

This chapter argues that COVID-19 has been impactful on industrial policies. The empirical specification of the causal pathways is undoubtedly constrained by data insufficiency on COVID-19. However, the pandemic has clearly triggered the resurrection of the welfare state in virtually all countries. The aim is to provide state-coordinated stimulus spending to feed vulnerable citizens, provide ventilators, sanitisers, and other pharmaceuticals, and support priority industries. Stimulus spending, it appears, is a significant justification for the new industrial policies whose object is productivity enhancement, wealth expansion, and transformative development. The goal is to boost the state's revenue base and increase the capacity of duty bearers to meet citizens' rising demands.

The existential threat associated with COVID-19 has had an added advantage. It has privileged economic nationalism over market fundamentalism and activated a wave of deglobalisation, that is, the relative decline of neoliberal globalisation (see Bello, 2005; Finbarr 2018). The pandemic has also silenced neoliberal state elites (in the ministries of finance, the central bank, and statehouses) and incentivised elite commitment to industrialisation. The goal is to rebalance imports versus exports, promote local manufacturing of essential products (like face masks), create decent jobs for citizens, and, in a word, assert the legitimacy of the state.

Information for this writeup was collected via website visits, critical review of the literature, rapid evidence analysis via document reviews (of WHO policy briefs, official planning documents, and presidential policy statements), and key informant interviews. Official data (from UNCTAD and Uganda National Planning Authority) were used to assess whether or, to what degree, COVID-19 has induced the resurrection of state-guided industrial policies.

The rest of the chapter is organised as follows. The following section lends conceptual clarity to the new (or “smart”) industrial policies. This is followed by an outline of the global context of the new industrial policies (in the USA and China); a summary of the COVID-induced industrial policies in Mauritius and Uganda; and a conclusion.

Conceptualising resurging industrial policy

In the heydays of market fundamentalism (between the 1980s and 1990s) industrial policies were pejoratively conceptualised as spaces used by state elites to dispense patronage, reward regime allies, and use public resources to lubricate the accumulative interests of powerful crony capitalists (Bates 1989; Kelsall et al. 2010). Several cross-industry econometric studies

that regress an economic performance measure, such as productivity, on state support indicators generally reached negative conclusions on subsidies (Lee 1996; World Bank 2020). These econometric studies suffered from misspecification. As Rodrik (2019, p. 1) notes, “when government intervention is not random and responds in second-best fashion to real market failures, the theory suggests the correlation at the industry level between intervention and performance should be negative.” This is what the studies found but misattributed it to the failure of state policies.

Today, political economy theorists and practitioners across the ideological divide appear to have converged on a more positive conceptualisation of industrial policy. Industrial transformation and productivity enhancement policies are increasingly seen as development-enhancing, thanks to the resurrection of industrial policies in the USA and other powerful political economies (The White House 2001). Industrial policy now refers to government choices, preferences, or decisions whose object is to shift a country’s productive activity from backward, agrarian, or artisanal work to progressively higher-productivity, factory-based, machine-driven (or digitalised) value-added activities. The accent is on the creation or strengthening of higher productivity sectors (Kozul-Wright in UNCTAD 2020). The goal is to serve the national interest, for example, by fending off harmful external competition, expanding the domestic revenue base of the state, and creating decent jobs (The White House 2001; UNCTAD 2020, p. 7). The underlying logic is simple: “market forces, left alone, cannot drive the process of structural transformation and sustain economic growth; rather, they risk specialisation in low productivity and low-value-adding economic activities” (Kozul-Wright in UNCTAD 2020, p. 1).

Theorists and practitioners also seem to agree on the wide scope of industrial policy (Wade 1990). According to Chang (2002), today’s successful industrialisers used nationalistic policies. These included, but were not limited to, subsidisation of priority industries, infant industry protection, regulation of imports, and generous use of R&D (research and development) grants to support strategic industries. Industrial policy often involved the use of state-owned enterprises or “private” companies in promoting the national interest. Typical examples are Toyota in Japan, Boeing in the USA, Samsung in Korea, and Huawei in China – hence, the notion of Japan, Inc., America, Inc., Korea, Inc., and China, Inc.

The literature on the political economy of industrial policy suggests that tension often exists between generic and targeted policies. As Wade (1990) shows, generic policies are, by definition, general. Industry-specific policies are “targeted.” The former policies operate at the macroeconomy, the latter at the sectoral level. Generic policies and industry-specific policies also differ in their operational latitude. The former policies are “horizontal”; and the latter “vertical” (Wade 1990, pp. 233–4). Horizontal policies affect all firms without discrimination. Vertical policies prioritise high value-added or strategic industries (such as iron and steel) over processing industries (which are characterised by cosmetic value addition).

But this is not all. Generic policies are embedded in the ideology of market fundamentalism, targeted industrial policies, in the theory of state-guided capitalist development (Amsden 1989). Generic policies pride in not “picking winners”; industry-specific policies pride in creating – not just “picking” – winners. One camp believes that winners are created by the market unfettered by state activism; the other contends that winners are historically created by economic *etatisme* (statism) comparable to the economic nationalism of the USA under the economic guidance of Alexander Hamilton, or of 17th century France under the guidance of Jean-Baptiste Colbert (Kiiza 2008).

By extension, generic policies are bent on kicking the state out of the economy; industry-specific policies, on routinising state coordination of industrial investments. Generic

policies seek to liberate the economy from state interference; manufacturing policies seek to regularise state guidance of industrial manufacturing. The object of generic policies in compliance with the so-called “global best practices” represented by market fundamentalism. The object of industry-specific policies is to deepen a country’s manufacturing capabilities.

Global context: hello, smart industrial policies?

The tension between generic and sector-specific policies has given way to a new conversation on smart policies in the global political economy. Such industrial policies are of five distinctive categories. First is free-trade policy, as exhibited via today’s ubiquitous free-trade agreements (FTAs) and the pro-market WTO rules. Trending as “trade” policies, these policies are the smart industrial policies of advanced capitalist countries. For one thing, they seek to strengthen the manufacturing capabilities of industrialised countries. For another thing, the WTO rules, which push for economic openness, the “national” treatment of foreign investors, “transparency” in government procurement, and non-discrimination between local and foreign companies, were entrenched in the WTO space by advanced industrial economies (Khor 2010). The aim of such industrial policies camouflaged as “trade” policies was to preferentially promote advanced economies’ national interests. Banking on their mature and competitive companies, advanced countries have adopted policies of neoliberal economics. The dominant tool is no longer protectionism; it is trade liberalisation (Tandon 2010). The outcome is not trade as a global public good. It is the consolidation of Western companies’ capabilities at the expense of weaker economies that may suffer deindustrialisation (Khor 2010; Tandon 2010).

The second category of smart policies is skills-development-as-industrial policy. Skills development is smart precisely because it empowers citizens with high-quality STEM capabilities (science, technology, engineering, and mathematics disciplines), backed by the rapid expansion into the new terrain of robotics engineering, artificial intelligence, data science, and the internet of things. Also known as soft investments, such smart industrial policies seek to promote inclusive development. They seek to boost the local content of the citizenry – as opposed to expatriates – in manufacturing value chains.

The third class of smart industrial policies are massive, publicly financed investments in hard infrastructure – viz world-class roads, railways, clean energy, development banks, ICT, and industrial parks. Like the first two above, these infrastructural investments are never treated as “industrial policies” in the orthodox literature. Yet, they promote manufacturing by uprooting the obstacles to industrialisation. They practically lower the cost of doing business and promote industrial transformation from low- to high-productivity sectors (World Bank 2020). An example of hard infrastructure investments is China’s industrial policy (Lardy and Fairbank 1987). Beginning with the Deng Xiaoping reforms of 1978, China created Special Economic Zones (SEZs) to attract foreign capital (by exempting them from taxes and regulations). The experiment was so successful that different varieties of SEZs were subsequently established – open coastal cities, export processing zones, science parks, and high-tech industry development zones (Miller 2020). Additionally, China has massively invested in roads and railways, R&D research facilities, and ICT infrastructure. These have had a magnetic effect on FDI inflows and domestic industrialisation.

The fourth category of smart industrial policies is procurement-as-industrial policy. Conventionally classified as a “commercial” policy, procurement has become a unique tool of industrial policy. A classic example is the Buy American Act (BAA) of 1933, which obligates the US government to prefer US-made products, not foreign manufactures, in its purchases.

The Act orders the federal government to prioritise American bidders for contracts worth more than \$10,000, provided (a) at least 50% of their products are home-made and (b) domestic companies are no more than 6% more expensive than the cheapest foreign alternative.

For reasons of path dependency, different US leaders have invoked the Buy American Act – or variations thereof (Hotakainen 2011; Smil 2013). The American Recovery and Reinvestment Act (ARRA), 2009, signed into law by President Obama, is a case in point. Initially estimated to cost \$787 billion but later revised to \$831 billion (for the period 2009–19), the ARRA financed a wide spectrum of smart industrial policies, particularly public works, clean energy, and R&D infrastructure. Massive taxpayers' monies were also used to rescue strategic companies (such as General Motors), which were deemed too big to fail. Obama's ARRA has a protectionist *Buy American* provision legislating that any public works funded by the stimulus package must use only iron, steel, and other products manufactured in the USA.

Trump's administration followed in this tradition under the *America First* brand of economic nationalism, beginning – on 22 January 2018 – with a bruising trade war against China's solar cells, washing machines, and, later, steel and aluminium (Denmark and Abraham 2020). President Joe Biden has upheld Trumpian economic nationalism (Edelberg and Sheiner. 2021). Biden's protectionist Executive Order dated 25 January 2021 obligates US federal agencies to spend \$600 billion of the annual federal procurement budget preferentially on American goods made by Americans, with American-made parts (The Economist, 26 January 2021). Ironically, America's nationalistic industrial policies contradict the Agreement on Government Procurement (GPA), a plurilateral agreement under the WTO's auspices, which advocates for “non-discrimination” in the procurement of goods and services by member states.

The fifth category of smart industrial policy is a trade war. War as an industrial policy instrument is traceable to the history of economic mercantilism (Viner 1948; Kiiza 2008; Tandon 2010; Bown 2019). As already hinted, on 22 January 2018, Trump launched a trade war against China by imposing tariffs on Chinese manufactures (Boylan et al., 2021). On 1 April 2018, China responded with punitive tariffs on 128 US products. The USA pushed the trade war to the most successful “China, Inc.” sector, that is, high-tech manufacturing. Huawei, which has perfected 5G technological capabilities ahead of most Western powers, was particularly targeted. For US policy strategists, such a hegemonic company must be fought by all means – trade diplomacy, punitive tariffs, propaganda, or even military might. Thus, in May 2019, Trump banned US companies from working with Huawei, which was allegedly stealing US intellectual property (Paletta et al. 2019). In June 2019, the USA targeted five supercomputing companies – Chengdu Haiguang Integrated Circuit, Chengdu Haiguang Microelectronics Technology, Higon, Sugon, and the Wuxi Jiangnan Institute of Computing Technology – allegedly because they were using their technology to aid China's military (Shepardson 2019).

Chen et al. (2020) contend that “the trade war is not, in fact, about trade but technological [and industrial] dominance.” While the US economy has been struggling since the COVID-19 outbreak, China's GDP growth averaged 2.3% in 2020 (UNCTAD 2020), making China the only major economy to avoid a contraction in 2020. In 2019, China overtook the USA as the largest international patent application source and extended its lead in 2020. According to Fage (2021), “China filed 68,720 applications last year while the United States filed 59,230.” China's impressive performance is partly attributed to the “initial conditions” before the outbreak of COVID-19. It was the world's largest PPE manufacturer, accounted for 50% of the world's supply of surgical masks and was the only country capable

of mass-producing clinical gowns. As Western countries struggled with COVID-19, China imposed restrictions on exports of critical medical supplies, such as face masks and medical nitrile gloves (until Chinese companies upgraded their manufacturing capabilities).

Between January and March 2020, the price of surgical masks increased sixfold, the price of N95 respirators trebled, and the price of surgical gowns doubled (WHO 2020). China responded by boosting manufacturing capability with military-style rigour, effectively raising their daily pre-COVID output of 20 million masks to 110 million surgical masks per day. According to Aikman and Chan (2020), China's manufacturers, including BYD, Foxconn, Guangzhou Automobile Group Co., and SAIC-GM-Wuling, built makeshift assembly lines to step up the manufacture of masks and disinfectants. Companies like J.D. Logistics deployed robots for the delivery of supplies. China's carmaker SGMW – a joint venture between USA's General Motors and two Chinese partners – repurposed their value chains. In February 2020, their vehicle interior textiles supplier was caused to begin supplying medical-grade textiles for manufacturing face masks (Miller 2020).

To what degree have the smart industrial policy trajectories in Mauritius and Uganda approximated the theory and practice documented herein?

COVID-induced industrial policies in Mauritius

Mauritius reported its first COVID-19 case on 18 March 2020 and had, by 20 February 2021, registered 619 cases, 588 recoveries, and 10 deaths (WHO 2021). Mauritius embarked on several initiatives to minimise the impact of COVID-19 and promote industrial policy – bans on public gatherings; a curfew; closure of schools, universities, churches/mosques, and shopping malls; a stay-at-home order for public and private employees (except essential staff); and increased testing (IMF 2021). Since 26 April 2020, there have been no cases of domestic transmission. The reopening of the economy started in May 2020.

In the realm of smart industrial policy, Mauritius has embarked on several initiatives. With effect from October 2020, human capital has been treated as an industrial policy tool. Skills development is emphasised, focusing on STEM disciplines, which are central to the transformation of Mauritius into a high-tech manufacturing economy (UNCTAD 2020, p. 45). Efforts have also been made to attract graduates into manufacturing. This follows UNCTAD's (2020) firm visits, which recorded a "wide range of technical career opportunities ... and yet positions are either not being filled or are only being filled after major concessions are made in respect of the education and/or experience level of applicants." To retain expatriates, all labour contracts expiring in 2020 have been extended through December 2021. Mauritius also launched a new, one-year (renewable) visa known as Premium Travel Visa. A Wage Assistance Scheme was created to support those rendered jobless by the lockdown. A Self-Employed Assistance Scheme served a comparable goal for informal sector workers.

Second, to increase Mauritian manufactures' domestic content, the Human Resource Development Council (HRDC) was directed to raise its training and reskilling intake by 9,000 people. The aim was to increase citizens' employability in manufacturing, agro-industry, renewable energy, and the circular economy. Beneficiaries are paid monthly stipends of Rs 10,200 over a six-month training period. A unique programme for SMEs titled the Employment Support Scheme was also designed. About 11,000 employees will be supported with a monthly payment of Rs 10,200 per person. These investments in local human capital are meant to progressively replace expatriates with local skills.

Third, several monetary and macro-financial policies have been adopted (IMF 2021). For example, the Bank of Mauritius (BoM) reduced the key repo (or repurchase) rate, that is,

the interest rate at which the central bank lends short-term money to commercial banks to control inflation. The key repo rate was reduced from 3.35% to 2.85% on 10 March 2020, followed by a further reduction to 1.85% on 16 April 2020. On 23 March 2020, the bank directed commercial banks to give a six-month moratorium on capital repayment for business loans and a comparable moratorium on household loans. The bank took up interest payments for households in the lowest income bracket. A particular dollarised credit line (initially \$300 million, extended to \$500 million) was put in place to cover firms whose earnings are dollar-denominated. On 07 September 2020, the BoM announced the extension to 31 December 2020 of the moratoriums granted to economic actors (including small and medium enterprises), households, and individuals under its COVID-19 Support Programme. On 02 December 2020, these measures were further extended to 30 June 2021.

Fourth, Mauritius reactivated its culture of using domestic developmentalist institutions as tools of new industrial policy. The State Investment Corporation raised Rs 4 billion for equity investments in troubled firms, including SMEs. The Development Bank of Mauritius provided Rs 200 million as concessional credit for distressed firms. An interviewee from the prime minister's office confirmed that taxpayers' monies were used to rescue enterprises that were "too Mauritian to fail" (Phone Interviews, January 2021). Specifically, Rs 9 billion was withdrawn from the National Resilience Fund and given to Air Mauritius.

Fifth, on 15 May 2020, parliament amended the BoM Act as part of the COVID Bill. Under the amendment, the Mauritius Investment Corporation (MIC) was established as a Special Purpose Vehicle to mitigate the disruptive impact of COVID-19. Bank of Mauritius announced that it would invest \$2 billion in MIC for this purpose. The MIC was directed to prioritise investments in the pharmaceutical and blue economy as new strategic sectors (Phone Interviews January 2021).

Sixth, Mauritius is investing in soft infrastructure for high-value manufacturing. Such infrastructure includes modern ICTs, value-chain certification, and the enforcement of technical operating standards. Institutions for effective oversight, accreditations, and the enforcement of rules of origin are also being implemented (UNCTAD 2020).

Seventh, state elites are progressively upgrading physical infrastructure. According to UNCTAD, most firms "operate in ageing industrial estates, with sub-standard logistics linkages that depend on a seaport that is deemed inefficient and expensive" (2020, p. 46): Mauritius is styling up by upgrading industrial estates with clean energy, advanced water treatment facilities, and efficient transport systems.

The above smart industrial policies should upgrade Mauritian human skills, increase the domestic content of previously imported products, and transform Mauritian exports into high-value manufactures (with substantial Mauritian content). The policies also target to deepen value chains that are too Mauritian to be outsourced. Mauritius is using the COVID-19 crisis as an "excuse" for hastening its transition into a digital economy, thanks to the rise of the Fourth Industrial Revolution.

Smart industrial policy in Uganda?

In Uganda, the pre-COVID era, particularly the 1990s–2000s, was characterised by the imperialism of free-market fundamentalism. Emphasis was placed on the allocative efficiency of the market "unfettered" by strategic state guidance. The resurrection of state capacity occasioned by COVID-19 has sent the armchair economic theorists on leave. The crisis has demonstrated that a capable state (in a regulatory and/or developmental sense) is necessary for ameliorating developmental crises (such as COVID-19). Uganda registered its

first COVID-19 case on 21 March 2020 and had, by 20 February 2021, registered 40,395 COVID infections, with 15,008 recoveries and 334 deaths (WHO 2021).

However, before Uganda's "Patient Zero," the president declared several anti-COVID Stalinist measures, which were perhaps tougher than those of democratic Mauritius. All schools and universities were closed, and 15 million children sent home. Churches, synagogues, and mosques were locked up. A draconian total lockdown was imposed on 18 March 2020 and executed by the military, para-military, and police officers without any legal instrument (Interviews with Kampala Lord Mayor 2020). International flights except the cargo planes were cancelled (Museveni 2020). The state enforced handwashing in the hitherto chaotic fruit markets. Comparable restrictions were imposed on the supposedly ungovernable taxis and boda-boda cyclists.

In Uganda, as in Mauritius, COVID-19 is associated with the resurrection of the welfare state and nationalistic industrial policies whose object is to generate the wealth needed to finance welfare programmes. For example, the state offered food subsidies to roughly 1.8 million urban poor people in Kampala, Wakiso, and Mukono districts. Most of Uganda's total population of 45 million were left out. According to M.P. Ssemujju Nganda, the then Opposition Chief Whip, parliament gave the Executive "59 billion shillings to distribute food relief to vulnerable people...during the first 14 days of lockdown" (Phone Interviews January 2021).

Interviewees have faulted Uganda's food subsidies for being tokenistic. Each beneficiary received only three kilograms of dry beans and six kilograms of maize flour for a lockdown that was eased after 60 days and further relaxed after a cumulative 95 days (Interviews May 2020). That "there was a systemic failure in the targeting of the rightful beneficiaries, with some of the food stolen by corrupt officials" is not debatable (Phone Interviews, NGO Forum, May 2020).

What is relevant here is simple – the resurrection of the welfare state (and the associated industrial policies). The authorities used US\$1.3 million from the Contingency Fund in FY2019/20 to finance the Ministry of Health Preparedness and Response Plan. On 6 May 2020, Uganda secured US\$491.5 million in emergency financing from the IMF under the Rapid Credit Facility. Of this, 30% was budget support and 70% for "boosting international reserves" IMF style. On 29 June 2020, the World Bank also approved US\$300 million budget support under the Uganda COVID-19 Economic Crisis and Recovery Policy. Budget support has two country-specific problems. It is vulnerable to theft by state elites (Kelsall et al. 2010). Moreover, donor funds stress an already high debt/GDP ratio (currently 41%), worsening interest repayments that siphon off 11.58% of the 2019/20 budget to pay Uganda's "friendly" donors. Agriculture, which employs 69% of Ugandans, was allocated only 3.75% of the budget. Smart industrial policies would trump budget support as a source of sustainable financing.

Five smart industrial policies are worth documenting in Uganda's case. First is hard infrastructure (as a tool of industrial policy). In orthodox economics, dogmatic state officials block significant infrastructure investments, arguing that the costs involved dwarfed the return on investment. Uganda's huge infrastructure deficits became a disincentive for industrial manufacturing. For example, only 26% of Uganda's 45 million people are currently on the national electricity grid. By the mid-2000s, and especially after the 2011 elections, elite preferences had tilted in favour of roads and energy infrastructure. Elites' interest in infrastructure predates COVID-19. The effect of the pandemic has been to galvanise elite commitment to the Works and Transport Sector. This sector received 16.10% of Uganda's 2018/19 budget of Ugx29.2 trillion and 16.57% of an even larger 2020/21 budget of Ugx45 trillion. The state has maintained its high budgetary allocations to hard infrastructure due to its significance as a new industrial policy tool.

The second smart industrial policy initiative is institution-building. To provide concessional loans for key industries, the Uganda Development Corporation (UDC) has been recapitalised to the tune of a Ugx100 billion. The Uganda Development Bank (UDB) has received an even larger allocation of Ugx1 trillion. To cater for the micro, small, and medium enterprises (MSMEs), the Microfinance Support Centre has also been recapitalised. Additionally, the government is boosting funding for the Uganda Industrial Research Institute in the 2020/21 budget. In theory, these funding arrangements have opened up a new chapter of state-backed, affordable credit. In practice, the loans are inaccessible to the MSMEs, which account for over 90% of private firms in Uganda (MoTIC 2020).

The third variant of smart industrial policy is the investment in industrial parks, 22 of which have been gazetted. Like the EPZs of China, these parks attract foreign capital by offering free land, tax holidays, and subsidised energy. For example, Liao Shen Industrial Park was set up at Kapeeka near Kampala in June 2015 on a 640-acre piece of land. The industries in the park include Yahe International Investment Company (a maize factory), Ho and Mu Fruit Factory, and Goodwill (U) Ceramic Company which employs 2000 semi-skilled Ugandans, with a capacity of 40,000 square metres of tiles per day (Masinde 2020). The factory, which started in April 2018 with an investment capital of \$30 million, saves Uganda \$35 million that would have been spent on imported tiles.

Fourthly, Uganda is accelerating import substitution industrialisation under the Buy Ugandan, Build Uganda (BUBU) policy. This policy upholds older institutional arrangements such as the Public Procurement and Disposal of Public Assets (PPDA) regulations, which operationalised the PPDA Act, 2013. Under these regulations, the government is obligated to give local industries preferential treatment when procuring goods or services. The effect of COVID-19 was to provide a sense of urgency to these nationalistic industrial policies.

Important as they are, the preceding policies pale compared to the presidential directives on new industrial policies. In his State of the Nation Address of 4 June 2020, Museveni distinguished between the “vulnerable economy” and the “real economy.” The vulnerable economy (which failed the CIVID-stress test) is the economy of leisure, pleasure, and luxurious consumption. Sectors of the luxurious economy include tourism, entertainment, bars, nightclubs, and luxurious imports (of perfumes, wines, and other parasitic products to the national economy). The real economy arguably “deals with nine (9) basic human needs” – food, clothing, shelter, medicine, security, physical infrastructure, health infrastructure, education, and, surprisingly, spirituality. Incentivised by the COVID-induced need to locally produce what was hitherto imported, the Uganda government is pushing for a structural shift from luxurious imports to the importation of capital goods; from parasitic foreign products to local industrial products; from dispensable sectors to indispensable domestic manufactures (MoTIC Interviews, January 2021). Table 54.1 summarises criteria that have been developed by Uganda’s National Planning Authority (NPA) for smart industrial policy.

A critical analysis informed the selection of these criteria of Uganda’s imports. Between 2010 and 2019, Uganda’s imports increased by 66.2% and stood at US\$6,186.14 million in 2019. Uganda’s top ten imports account for 60% of the total import bill. They include petroleum and related products, vehicles, iron and steel, medical and pharmaceutical products, plastics, industrial machinery, electrical machinery, and paper. Service imports account for 30% of the import bill, with four accounting for 90% of the total services bill. The breakdown is as follows: transport (55%), business services (24%), travel (7%), construction (4%), and others (10%). Thus, Uganda’s COVID-induced industrial policy has ten key investment priorities (see Table 54.2).

Table 54.1 The ten-point criteria for smart industrial policy in Uganda

• Highly imported; foreign exchange lost	• Essential commodity or service
• Existing domestic production capacity	• Job creation potential
• Domestic raw materials	• Multi-sectoral linkages
• Needed technology	• Relatively low capital requirements
• Strategic importance	• On-going government investment

Source: NPA, Import Substitution Action Plan, 2020/21–2022/25.

Table 54.2 Priorities for Uganda’s new industrial policy

• Petroleum and petroleum products	• Vegetable fats and oils
• Iron and Steel	• Textiles
• Medical and pharmaceuticals	• Sugars to feed industry, e.g. medicines
• Cereals (food and industrial inputs)	• Salt for domestic use and animals
• Plastics (chemicals industry)	• Fertilisers

Source: NPA, Import Substitution Action Plan, 2020/21–2022/25.

The Import Substitution Action Plan of the NPA has specified, on an item-by-item basis, the actions that will be taken for the priority sectors. The costs involved and whether funding will come from the public sector or private investors are also itemised. Never, in neo-liberal Uganda (the 1980s to date), has the country ever developed such a detailed industrial policy agenda. A key beneficial impact of COVID-19, it would seem, is its ability to teach state elites that an import-dependent economy is unsustainable. The solution lies in smart industrial policies.

The coevolution of pro-development elite preferences and new pharmaceutical industries is worth noting. In March 2020 (when the lockdown commenced), Uganda had only two sanitiser-making factories – Saraya East Africa Limited and the Luwero Industries. By June 2020, 107 factories were established. Before COVID-19, no factory was making masks in Uganda. When a global shortage was reported, the government directed factories such as NYTIL to make masks. In response, 61 factories applied to manufacture masks, but only 10 were certified. When the global demand for PPEs outstripped supply, the government directed local factories, including Mulwana, to produce PPEs. These industrialists “have risen to the occasion and... are producing the PPEs” (Museveni 2020).

What raises anxiety is that most privileged industries are already beneficiaries of generous government incentives (such as tax holidays or land grants). Second, most of them are foreign-owned. No clear policy has been developed to guarantee technology transfer into the domestic political economy. Moreover, companies such as NYTIL won lucrative government contracts to manufacture face masks without competitive bidding. This has raised concerns over crony capitalism.

Conclusion

This chapter has documented the unintended industrial policy dividends of COVID-19. It has demonstrated the primacy of states, rather than markets, as the mitigators of existential threats. States have rediscovered state capacity to replace the pre-crisis era’s expendable imports with indispensable priorities (such as locally manufactured face masks). However, the chapter cautions against simplistic cause-effect analytical claims. In both Mauritius and

Uganda, the new industrial policies were not necessarily birthed by COVID-19. The crisis simply catalysed elite commitment to industrial policy by (a) stifling resistance to reform and (b) creating a *raison d'être* for resource commitments to new industrial policies given the COVID-induced existential threat. Even then, COVID-19 has deepened an already existing culture of value-added manufacturing in Mauritius. In Uganda's case, the new industrial policies are mediated through deep-seated patronage politics. The pandemic has not uprooted corruption; it has only subjected patronage politics to larger developmental goals (thanks to the ageing and sickly ruling elite who can no longer board planes to get overseas medical treatment). The emerging conclusion seems clear. COVID-19 has had positive albeit unintended beneficial impacts in both Mauritius and Uganda. The pandemic has created an opportunity for liberating the state from market fundamentalism and reactivating smart industrial policy. This lends credence to Albeit Einstein's theoretical proposition: in every crisis lies great opportunity.

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