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Relevant bibliographical notes, literature and book reviews are invited as well. Interested contributors are advised to submit their manuscripts in electronic format in MS word by email, two hard copies of the manuscript may be sent in addition. The articles should comply with the following:

1. Title page, with full names of author, an abstract of 150-200 words and relevant key words
2. Be formatted in MS word, be typed double – spaced with a size 12 font.
3. Not exceed 6,000 words.
4. Bibliographic references should be in the Harvard style
5. Ensure that in the event that endnotes are used, they should be very brief, limited to observations and comments that do not form part of the bibliographical reference. Endnotes should be numbered in the text and placed in a consecutive order at the end of the text, immediately before the list of references.
6. The Tables and Figures should be appropriately named, numbered and placed in the text.

Authors are advised to ensure that their articles;

- a. Present new knowledge in the field of Public Administration and Management.
- b. Employ scholarly and professional language in English or French.
- c. Generate discussions that can lead to mapping out solutions to challenges of Public Administration and Management.
- d. Express perspectives from different African Regions.
- e. Contain, as far as possible, implications for public sector managers and administrators.



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## Introduction by the Chief Editor



As I considered writing the introduction to this edition of Africa's prestigious continental journal, I feel it is proper to pay tribute to a very dedicated staff who had been the face of AAPAM and very instrumental to your continuous reading of the Journal, the late Ms Nancy Chiira, former Administrative Officer. Between 2019 and 2021 as Chief Editor, I exchanged 360 messages with Nancy, the last being on March 2, 2021, and it read: *I refer to my email below and the paper attached. You were to review the paper and advice. Kindly send me your review so that I can liaise with the author. On the other two papers mentioned below, only one author has responded. We are short of papers for the next issue as only one paper has completed all the process and is ready for publishing.* Nancy was committed to the production of AJPAM by diligently liaising with authors, and the Editors. May her soul rest in peace.

AJPAM has continued to be produced, thanks to Clifford Ogutu and Julie Muia, our Associate Editors and other staff of the Secretariat. On this note, I, present this volume which covers issues of corruption, inclusivity and diversity, local governance, human resource management, accountability and social contract in the public service.

The challenge of corruption to governance in Africa has been an issue of concern. **Augustine Nduka Eneanya** examines the nexus between anti-corruption agencies and State institutions in the fight against corruption in Nigeria. Applying a rigorous content analysis, he assessed the collaboration of anti-corruption agencies and state institutions in the fight against corruption in Nigeria between 2001 and 2019. The paper revealed that fighting against corruption in Nigeria has not yielded better results because core state institutions whose central roles focus on prevention, detection, education and enforcement have not been collaborating effectively with anti-corruption agencies, just as political interference by political leaders, lack of political will, skilled personnel and inadequate funding have been critical challenges. Augustine suggests a reform of the legal framework of the anti-corruption agencies as a measure to deepen accountability and transparency, build state capacity and improve governance in Nigeria.

**Purity Gitonga** who is equally concerned with the issue of corruption examines corruption, accountability and sustainable development in Kenya with a view to understanding the linkage. Purity notes that although the Constitution of Kenya 2010, identifies accountability as a key pillar for good governance, corruption continues to be an impediment to the realization of sustainable development goals as a result of limited accountability which has enabled corruption to thrive. The paper concluded by highlighting the multi-faceted approaches adopted in Kenya to combat corruption in order to promote accountability and realize sustainable development.

Local governance and decentralization are critical to planning and development. AJPAM is pleased to publish the work of **Stephen Gunura Bwengye** that focused on local governments and development planning under decentralization in Uganda that earned him a Doctor of Philosophy degree in Public Affairs from the University of Pretoria. Applying a qualitative methodological approach, a case study design, an interpretivist paradigm, and an exploratory conceptual model, Stephen explores the efforts made by Local Governments in Uganda and their effectiveness in executing their development planning role. Evidence provided demonstrates that while in line with the decentralization legal and policy framework, such efforts have largely not been effective.

He concluded that government will need to take deliberate efforts to address the critical issues of human resource gaps, limited financial resources, poor stakeholder participation and local Governments' lack of substantial autonomy to ensure that their defined development planning role under decentralization is effectively executed.

Related to local governance, **Julianos Masimba** and **Naome Rajah** examined the causes and consequences of the growth of informal settlements in Epworth local Board Area in Harare. A clean-up programme leading to demolishing illegal structures left many poor homeless and migrating into informal settlements in and around Harare resulting into poverty and absence of opportunities accompanied by high levels of malnourishment, low literacy levels, food insecurity, and social instability. The paper recommended an in-situ upgrading as the preferred possible solution to the challenges of informal settlements.

Inclusion is a core aspiration of the 2030 and 2063 Agendas with the commitment to “leave no one behind” and prioritizing the “furthest behind first”. **Edna Moi** interrogated the concept of Inclusivity and Diversity: Leaving no One Behind and noted that poverty is a major risk factor for the majority of the population being left behind while the rest of the world develops. The paper identified other causes of exclusion to include social exclusion in education, health, and in the workplace. Findings of the study indicated that lack of reliable and standardized data is a serious challenge with what is available being inadequately disaggregated as well as the challenge of the weak institutional capacity which has led to poor governance problems and policy incoherence. Edna recommended the need to build on individual and community strengths and partnerships with key stakeholders to develop tailored services to speed up the reduction of social exclusion.

**Florence Wachira** writing on Human Resource Management: Trends and Lessons Learned, traces the growth of human resource management from a welfare to an administrative function and the challenges it still faces to establish itself as a professional practice. Florence attributes this to poor implementation of reforms; lack of clarity of roles and alignment of HR practice to goals and objectives; rigidity of practice; practitioner competences and skills; lack of Professionalism and poor adaptability to change. She asserts that the future of HR as a profession will depend on its ability to acquire and assimilate advances in ICT, improved understanding of the implications of demographic trends in the workforce, paying attention to leadership and leadership development and putting greater emphasis on workforce capability and systems of knowledge management.

**Mataywa Busieka** and **Dennys Pasipanodya** are concerned about accountability tools for the implementation of the African Charter on Values and Principles of Public Service and Administration which is the outcome of an extended engagement that started in 2018 when the African Union Commission (AUC) commenced the development of the guidelines for reporting on the implementation of the African Charter on Values and Principles of Public Service and Administration (the Charter). The paper is a focused review of the reporting instruments developed and a technical reflection on the journey to identify lessons learnt. It identified implementation gap as a severe challenge in realising many well-meaning visions of the African Union and shows that the implementation of the Charter is anchored in the African Union Governance Architecture, while demonstrating that the Charter is primarily a framework for strengthening and legitimising suitable governance measures and should be viewed as a substantial contribution to the realisation of the “Africa We Want” as defined under Agenda 2063. After rendering an analytical review of the technical tools and instruments that State Parties have developed and subscribed to for assessing

and reporting on the implementation of the Charter the authors mapped a way-forward for the challenges and opportunities such an initiative of continental magnitude faces.

Finally, **Chukwuemeka Okafor** examined the social contract theory and the albatross of public service delivery deficit in Nigeria. He argues that the relationship between the citizens and successive governments over the years have been in the overall selfish interest of the political leaders at the expense of service delivery needs and expectations of citizens. This is evidenced in the failures of government at different levels to deliver public services effectively and efficiently in the interest of the majority citizens. The paper concludes that a people-centric governance process is urgently needed to address these deficits. Such an approach would result in the enthronement of responsive and responsible governance model committed to obeying the Social Contract.

It is my sincere hope this will stimulate your interest in this volume and that you will enjoy these articles we have included here for you. We continue to seek your support by asking you to contribute articles to the journal and spreading awareness about AJPAM in your countries and institutions. Happy reading.

**Prof. Ukertor Gabriel Moti**  
Chief Editor

# The Nexus Between Anti-Corruption Agencies and State Institutions in the Fight Against Corruption in Nigeria Between 2001 and 2020: A Critical Analysis



Augustine Nduka Eneanya, Ph.D.<sup>1</sup>

## Abstract

*Nigeria's federal public bureaucracy has, since the country's flag independence in 1960, been subjected to series of reforms. It started with the Nigerianisation scheme, in which replacements were sought for the departing expatriates, and which created other problems that warranted more reform action. It grew and expanded over time to include the ideas of reinventing government, as in structural adjustment programmes. This paper examines the extent and performance of public sector reforms in Nigeria, especially since the reintroduction of civil rule in 1999. The methodology is qualitative and largely literature based, while this is complimented by events analyses and observation. Using a combination of the bureaucratic theory and ecological approach for its analytic frame, the paper provides details of the path followed in the reforms and argues that hardly are there evidences of significant difference in terms of the principles of meritocracy and non-partisanship in selected cases for the study. Reduction of a bloated workforce, withdrawal of fringe benefits from certain categories of workers and privatization have not been sufficiently effective. Cultural patterns in public life and within the country's administrative landscape must also be addressed for reforms to go far and be effective.*

**Keywords:** Public sector reforms, Political culture, Corruption Corruptive tendencies, Nigeria.

## Introduction

Corruption has become a global concern in recent years. Being a global issue, corruption has attracted the attention of many international organizations and world bodies, such as: United Nations (UN), Transparency International (TI), Business International (BI) and Bribe Takers Index (BTI). Corruption is a growing concern to donors, non-governmental organizations, citizens and government in developing and developed countries - alike. The global concern is not only because corruption breeds illegal wealth and makes beneficiaries richer, but because it deprives the citizens of

good governance. In Nigeria for instance, the issue of corruption is a phenomenon and with vast mineral endowments and petroleum resources since independence in 1960, many thought Nigeria economic development would improve and citizens live in affluence. Sadly, this projection has not only remained unfulfilled dream and it is now an illusion because of the increasing rate of corruption in the country.

Following the end of military rule in 1999, and in recognition of the widespread nature of corruption, the Nigerian government established anti-corruption agencies, such as:

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Independent Corruption Practices and Other Related Offences Commission (ICPC) on September, 2000, and Economic and Financial Crimes Commission (EFCC) on December, 2002 to complement existing anti-corruption agencies, namely; Code of Conduct Bureau (CCB) and Code of Conduct Tribunal (CCT), which were established in 1990 to combat corruption and abuse of office by public officials.

In any case, the aim of government in setting up these anti-corruption agencies was to complement core state institutions such as: Nigerian police force, office of Attorney-General, courts, Parliamentary Accounts Committee, media and prisons is to prevent, detect, enforce and convict corruption culprits. Because of the increasing cases of corruption, Nigerians are concerned and wonder whether there is adequate cooperation and collaboration between anti-corruption agencies and core state institutions in combating corruption in Nigeria.

Against this background, the purpose of the paper is to establish and critically assess the outcomes of the collaboration between anti-corruption agencies and core state institutions in Nigeria in the fight against corruption. The specific objectives are to:

- i. Establish whether or not the anti-corruption agencies and core state institutions complement and collaborate with each other in the fight against corruption in Nigeria.
- ii. To establish whether the performances of Anti-corruption Agencies and Core State Institutions in their fight against corruption have assisted to build state capacity, deepen accountability and improved governance in Nigeria.

- iii. To identify and explain the challenges confronting anti-corruption agencies and core state institutions in their fight against corruption in Nigeria.

## Research Questions

In the light of this, the following research questions guide the analysis of the study:

1. To what extent had the anti-corruption agencies complemented and collaborated with core state institutions in the fight against corruption in Nigeria between 2001 and 2018?
2. What were the performance scorecards of anti-corruption Agencies and core state institutions in their fight against corruption in Nigeria between 2001 and 2018?
3. What are the challenges of Anti-corruption Agencies and Core State Institutions in the fight against corruption in Nigeria?

To answer these research questions, the study is organized into three sections. Section one examines the introduction, purpose of the paper, research questions, literature review and methodology. Section two analyzes performance scorecards and challenges of anti-corruption agencies and core state institutions in their fight against corruption. Finally, Section three concludes the paper and recommends the way forward.

## Review of Previous Studies

### Conceptual Clarification

Corruption is a social phenomenon that is difficult to define, and it does not have a universally accepted definition. The definition

varies depending on the inclination of the scholar and perception of the concept. Tanzi (1998) is of the view that while it is hard to define corruption, the crisis that is linked to corruption is not difficult to identify. In a similar vein, Transparency International (TI), (2012) also put forward a lucid definition of the concept as the abuse of entrusted power for private gain. Waziri (2010) views corruption as a pervasion or a change from the generally accepted law or rules for personal benefit. Azelama (2002) defines corruption as any action or omission enacted by a member of an organization, which is, against the rules, regulations, norms, and ethics of the organization, and the purpose is to meet the selfish end of the member at the detriment of the organization. The World Bank (World Bank Independent Evaluation Group), (2006) defines corruption as the abuse of office for private gains. Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. Agbu, (2003) observes that public office can be abused for selfish gain even if bribery does not take place. This implies that political corruption could be defined in the form of patronage, election rigging, and voters register manipulation, favoritism in the award of contract, procurement scam, tribalism and nepotism in recruitment and promotion, unfair punishment/sanctions for public officials. Given the above definitions, corruption or political corruption implies an action that violates electoral rules/the formal duties of any public role, rules, or norms with regard to public trust.

The terms core state institutions in this paper means the Nigerian Police, the office of Attorney-General, Courts, Audit stem, Parliamentary Account Committee in the Legislature (Nigerian Constitution, 1999). On the other hand, anti-corruption agencies

include three major agencies created by the Federal Government of Nigeria to combat corruption, namely: Economic and Financial Crimes Commission (EFCC Act of 2002); Independent Corrupt Practices and Other Related Offences Commission (ICPC Act, 2000); and Code of Conduct Bureau/Code of Conduct Tribunal (CCB/CCT, 1989,9 Nigerian Constitution, 1999).

Much research has been done to determine the nature and character of corruption. In this academic enquiry, corruption is divided into political corruption and bureaucratic corruption. Political corruption occurs mostly among elected and appointed political office holders. It occurs when the politicians and political decision-makers, who are entitled to formulate, establish and implement the laws are themselves corrupt. It also takes place when policy formulation and legislation is tailored to benefit political leadership. It can also include purchase of votes with money, promises of office or special favors, coercion, intimidation, and interference with freedom of election. This practice has almost become a norm in Nigeria's political processes. Votes are either bought with money or secured through thuggery, intimidation of voters and violence. Electoral victory is no longer determined by one man, one vote rule, but is largely determined through the level of intimidation by leaders in government.

On the other hand, bureaucratic or administrative corruption occurs in public administration or among administrators involved in the implementation of public policies and programmes. This kind of corruption has been branded street-level bureaucratic corruption (Lipsky, 2010; Brodtkin, 2012). It is the kind of corruption the citizens encounter daily at places like the hospitals, schools, police stations, immigration,

customs, offices and other public offices. Other forms of corruption include: bribery, fraud, embezzlement, extortion, favouritism, nepotism, among others.

## **Theoretical Framework**

Many theories have been advanced by different scholars in an attempt to explain the causes of unethical practices, lack of accountability, and corruption in Nigeria. This study presents an overview of the most important theories, namely: public choice theory (Buchan & Tullock, (1962)); idealistic theory (Anazodo, Okoye & Chukwuemeka, 2012); theory of resource curse (Bamiduro, 2012); Principal-Agent theory (Moe, 1984); and Structural-functionalism (Talcott, 1951; Merton, 1957).

### **Public Choice Theory**

Understanding the nature of kleptocratic relationship between the Nigerian state and the public bureaucracy demands an employment of public choice theory. Public choice theory contends that the rules that are ultimately aimed at regulating and conditioning the relationship between entrepreneurship and bureaucracy on the one hand and between groups and individuals on the other should be an outgrowth of the society. Once constitutional rules have been selected and adopted, and a government established, “political conditions will try to use government to be redistributing income and wealth in their favour” (Eneanya, 2016, Pp. 242-244). Thus, public choice theory assumes that all political actors –voters, candidates, legislators, bureaucrats, interest groups, parties, and governments- seek to maximize their personal benefits in politics as in marketplace (Buchanan & Tullock (1962). In a situation where the rules are a reflection of elitist section of the society, state actors are bent to manipulate the hitherto weak, parochial,

inefficient and poorly designed constitutional rules to ensure their almost unlimited power and unconstrained access to private exchange (Mueller 1979). In such an economy, resource allocation is usually politicized. Rules that regulate the activities of individuals within a society matter and are a major determinant of how individuals and organizations behave.

The behavior of bureaucrats (bureaucracy) and the political actors (acting on behalf of the state) who collaborate with them to perpetrate corruption can be analyzed effectively only within the context of existing rules. Thus, without a clear understanding of a country’s laws and institutions, any effort to analyze or understand corruption within that society would be futile. This theory is relevant to our study and would complement the main theoretical framework.

### **Idealistic Theory**

This theory is based on the proposition that it is people’s ideas that influence their culture, behaviour, and organization of their society. Therefore, corruption is the nature of social and moral values prevailing in the society. This theory explains corruption in terms of some selfish ideas, which are prevalent in the value system of the society (Anazodo, Okoye, & Chukwuemeka, 2012). A simple extension of this logic leads to perception of corruption as emergent perversion of morality and value system in the society. This theory is not relevant for this study.

### **Theory of Resource Curse**

Extant literature reveals that oil dependence leads to a skewing of political forces. It concentrates revenues from resources to geographic enclaves and power into the hands of few elites; this reduces their incentive to

develop the governance mechanisms that enable general taxation (Bamiduro, 2012). Empirical studies reveal that oil-dependent nations especially in developing African countries that have at least 25% of their exports from natural resources are more likely to have conflicts (Bamiduro, 2012). Bamiduro further opines that resource conflicts seem to be driven by poor governance, greed and corruption (Abubakar, 2004). Of course, this theory is not relevant to the analysis of this study.

## **Structural-Functional Theory**

Structural – functionalism theory was propounded by Talcott Parson in the late 1930s. One of the assumptions of this theory is that certain functional requirements must be satisfied if a society is to survive (Talcott, 1951; Merton, 1957). Put differently, there should be existence of functional sub-systems to ensure the survivability of the society. The subsystems are expected to perform their functions credibly – functions by way of definitions are the contributions that a given item or subsystem makes to maintain and sustain the whole. The society is, therefore, composed of certain arrangement of parts (structures) or subsystems which undertake various responsibilities (functions) in a coordinated and independent manner, so as to achieve societal goals and objectives (Ugwuja, 2016). Structural-functional theory has been recognized at ensuring deeper understanding of the societal process which invariably leads to societal progress and sustainability. This theory would be adopted as the major framework of analysis of the study.

This study, therefore, adopted the combination of structural-functional theory and public choice theory as the framework of analysis. Structural-functional theory is the primary

theory, while public choice theory would complement it by examining other issues connected to public officials diverting state resources for their personal gains. The relevance of this later theory is that the Nigerian state is made up of variegated structures charged with performance of one function or group of functions with intent to enhance the survival of the country. Examples of such structures are: Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and Other Related Offences Commission (ICPC), and Code of Conduct Bureau/Code of Conduct Tribunal (CCB/CCT), established to wedge untiring war against the monster-called corruption. The extent to which the commissions perform their assigned responsibilities creditably will to a large extent assist in reducing the incidence of corruption to the barest minimum in the country. In other words, the effective performance of EFCC, ICPC and CCB/CCT in the discharge of their assignments will encourage and sustain the survival of Nigeria in areas of development. However, we are not unmindful that there are other core state institutions statutorily mandated to fight corruption in Nigeria as well. For example, the Nigeria police, the Office of Attorney – General, Courts (Judiciary), Audit system, Parliamentary Account Committee (PAC) among others, can make or mar the smooth operations of EFCC, ICPC, CCB/CCT in the discharge of their functions. Hence, there is need to assess how anti-corruption agencies and core state institutions collaborate with one another to fight corruption in Nigeria using a combination of these two theories as a framework of analysis to answer research questions of the study.

## **Empirical Literature Review**

The question that readily comes to one's mind

is: why is corruption prevalent in Nigeria? The causes of corruption are myriad, and they have political and cultural variables. Some evidence points to a link between corruption and social diversity, ethno-linguistic fractionalization, and the proportions of the country's population adhering to different belief systems (Lipset & Lenz, 2000). Studies also note that corruption is widespread in most non-democratic countries, and particularly, in countries that have been branded "neo-patrimonial, kleptocratic and pre-bendal" (Dike, 2010, p.4). Thus, the political system and the culture of a society could predispose citizens to corrupt activities.

The lack of or total disregard for ethical standards throughout the agencies of government and business organizations in Nigeria is a serious drawback. Unfortunately, many officeholders in Nigeria (elected or selected) do not have clear conception of the ethical demands of their position, even when they have such, are brazenly disregarded. Other factors are poor reward system and greed. Nigeria is a society where national priorities are misplaced; meritocracy is discouraged while mediocrity is promoted in the name of federal character principle (Waziri, 2010). The Nigerian extended family places enormous pressure on the civil servant, forcing him to engage in corrupt practices and nepotism (Osoba, 2000). Bureaucrats are believed to exploit their public positions to generate benefits for themselves, their families, and their ethnic or social groups. In Nigeria, the civil service employees view public service as an opportunity for self-enrichment; hence, incompetence and inefficiency among the public servants are some of the causes of corruption (Waziri, 2010).. Pervasive and chronic poverty, extremely high level of material deprivation and severe inequalities in the distribution of resources have been

advanced as major determinants of corruption in Nigeria (Osoba, 2000, p. 473).

The effects of corruption in Nigeria are outrageous. The effects range from under-development, absence of basic infrastructure such as potable water, good road networks, misappropriation of national resources leading to massive poverty, mediocrity in leadership and lack of professionalism, deficient leadership outputs, high unemployment and youth hopelessness, continuous widening gap between the rich and poor, and falling standard of education leading to production of low-quality graduates (Waziri, 2010).

## Methods

The study adopted qualitative research design. Data were collected from core state institutions' records, federal government anti-corruption agencies records, Constitution of 1999, archival records, extant literatures, textbooks, journal articles, websites, internet, magazines and newspapers. Collected data from field notes were edited, translated, sorted, coded and categorized into themes, using content-analysis technique. Key themes elicited included how anti-corruption agencies and core state institutions collaborate in the area of: corruption investigation, prevention, enforcement, conviction and education, which show commonality of roles for both anti-corruption agencies and core state institutions. The choice of themes is determined by how often certain incidents or words reoccur. Thematic and secondary data analysis methods were utilized to analyze and interpret answers to the following research questions: to what extent had the anti-corruption agencies complemented and collaborated with core state institutions in the fight against corruption in Nigeria between 2001 and 2018?; what were the performance scorecards of anti-corruption Agencies and core

state institutions in their fight against corruption in Nigeria between 2001 and 2018?; and what are the challenges of Anti-corruption Agencies and Core State Institutions in the fight against corruption in Nigeria?

This method is justified because it gives greater insight into the study problem and ideas about the variables that should be included in a larger or more comprehensive study to follow. Besides, studies can be designed based exclusively on administrative records (Hakim, 1982, p. 1; Gilbert, 1999; May 2001; Knight, 2002; Braun & Clarke, 2006).

## Limitations

The major limitation of this research method is reliance on secondary data only. No interview was conducted with individual political actors or heads of core state institutions. As a result, generalization reached in this study is theoretical generalization. Future research direction should adopt quantitative or mix-methods to establish the nexus between anti-corruption agencies and core state institutions in their fight against corruption in Nigeria between 2001 and 2020.

## Results and Interpretation

- i. Anti-corruption agencies and core State Institutions' nexus in fighting corruption in Nigeria
  - To what extent had the anti-corruption agencies complemented and collaborated with core state institutions in the fight against corruption in Nigeria between 2001 and 2018?

There are four central elements common in the fight against corruption by state institutions and anti-corruption Agencies. They are: prevention, investigation, detection,

prosecution and education. The effectiveness of efforts to combat corruption depends at least as much on the quality of the core public institutions and processes. Institutionally, structured checks and balances arrangements by the executive, legislature, and judiciary, supported by accountability mechanisms and transparency serve to prevent corruption. Government structures, which oversee how public resources are used, combine with policing and prosecutorial services, to investigate criminal activities and detect corruption. They also create awareness among the civil society on how to prevent corruption. Anti-corruption enforcement is the responsibility of the executive and justice system (Kpundeh, 2004, p. 262).

Thus, if the core public institutions are in place, the anti-corruption agencies can add value via prevention by intensifying public awareness and strengthening detection by adding to the supply of specialized anti-corruption investigatory capabilities. Alternatively, the anti-corruption agencies will add no value if they lack any impartial and credible means of enforcement because the core state institutions are weak or underdeveloped. So, dedicated political leaders committed to reducing corruption must have strong Core State Institutions (Police, Judiciary, Audit system, and Attorney-General Office in the Ministry of Justice) and use anti-corruption Agencies' efforts to complement.

- ii. Performance scorecards of core state institutions and anti-corruption agencies in the fight against corruption
  - RQ2: What are the performance scorecards of anti-corruption Agencies and core state institutions in their fight against corruption in Nigeria between 2001 and 2018?

Appraising the performances of both anti-corruption Agencies and Core State Institutions between 2001 and 2018 require critical assessment of their performance indicators as illustrated below:

Anti-corruption Agencies	No. of cases investigated	No. of cases prosecuted	No. of cases concluded	No. of convictions	Amount of money recovered
EFCC (2003-2018)	1,161	1,015	1,015	1,015	N4,699 billion
ICPC (2001-2018)	9,063	1,274	349	52	N975 billion
CCB/T	3 Politically Exposed Persons (PEPS)	3	Nil	Nil	Nil

*Source: Selected CCB/T, EFCC & ICPC Reports, 2001-2018*

From table 1 above, the anti-corruption agencies have recorded some progress in their light against corruption. EFCC from 2003 to 2018, has be able to secure conviction in 1,015 corruption cases and recovered about N4,699 billion compared to ICPC's performance record of 52 convictions and recovery of N975 billion. CCB/T is currently prosecuting three cases and yet to secure conviction of any Politically Exposed Persons (PEPs).

However, from the table 1 above, the ICPC and CCB/T failed to support the efforts of the EFCC in the fight against corruption. Both of them have powers that in some ways more than those of EFCC. Unfortunately, they have been ineffectual relative to their size and statutory power and have displayed little appetite for tackling high-level corruption (Human Right Watch,2011).

On the other hand, the Core State Institutions with accountability mechanisms, such as transparent procurement system (budget), audit system, judiciary – legislative – Executive check and balances, enforcement agencies, such as – police, Attorney-general and political leaders have not played active role

in collaborating with anti-corruption agencies in the fight against corruption due to lack of political will and interests. They are also have the power to investigate, prevent, educate and enforce democratic values, ethics, pilot anti-corruption drives, deepen accountability and improve governance. Their scorecards in the performance in table 1 showed that they were weak and did not complement the efforts of the Anti-corruption Agencies

In addition, the Attorney – General has the power to take over or discontinue any prosecution from another federal agency if he believes it is to be in the interest of justice (Human Rights Watch, 2011). These powers have been abused as the Attorney-General sometimes went for plea bargain instead of prosecuting offenders or at extreme withdrew prosecution without the consent of anti-corruption agencies (Nna & Jacob, 2012). So, the inability of anti-corruption agencies to perform effectively was vitiated by political interference (Aiyede, 2014, Igbinoia, 20114). For instance, there were incessant withdrawals of cases by former Attorney-General of Federation in Nigeria, Mr. Muhammed Bello

Adoke, who withdrew twenty-three (23) high profile cases eliciting criticisms from the human rights community (Nna & Jacob, 2012). Another case was reported by Alhaji Isah Misau, a Senator representing Bauchi Central in the National Assembly, who alleged that a police officer paid as much as N2.5 million to the Police Service Commission for special promotion and posting. Rather than investigate the allegation, the Office of the Attorney General of the Federation and Minister of Justice filed two sets of charges against the senator (Omeje, 2018). Besides, constitutional flaws, for example: Anti-Money Laundering Act which requires not only proof of laundering but proof that the money laundered came from illegal act has been manipulated by brilliant defense lawyers to defeated genuine corrupt cases (Human Rights Watch, 2011).

Furthermore, the courts were also obstacles to accountability. Most of the EFCC's cases particularly against nationally prominent figures have been stalled in the courts for years without the trials even commencing. For example, the former Secretary to President Buhari's government Mr, Babachir Lawal, who was alleged to have embezzled funds meant for Internally Displaced persons (IDPs) has not been prosecuted (Eneanya, 2020). Charges against eight Politically Exposed persons (PEPs) have been stepped down and the accused politicians are presently working with President Buhari's government (Ojo, 2018). Lack of judicial independence and political will in Nigeria made the fight against corruption to be ineffective as supported by previous study (Human Right Watch, 2011).

Overall, one has to score anti-corruption agencies and core state institutions low regarding their collaboration in fighting

corruption in Nigeria. Specifically, corruption has continued to flourish in Nigeria. The 2020 Corruption Perception Index (CPI) of Transparency International Report (2020) confirms the reality of prevalence of corruption. Presently, Nigeria ranks 149th out of 180 countries as the most corrupt country in the world and 2nd corrupt country in West Africa (TI, 2020). It shows that Nigeria has dropped 13 places since 2015. And now 149th in 2020. Nigeria was ranked 136th in 2016. It dropped 144th in 2018; 146th in 2019. According to Transparency International Report (2020), the reasons for this dismal performance of Nigeria in the ranking include:

- Absence of transparency in the COVID-19 pandemic;
- Nepotism in the public service appointment and promotion;
- Lack of adequate anti-corruption legal framework and interference by politicians in the operation of law enforcement agencies;
- Prevalence of bribery and extortion in the Nigerian Police and
- Security sector corruption

These reasons are affirmation that anti-corruption agencies collaboration with core state institutions in Nigeria has not yielded positive results (TI, 2020).

iii. Challenges of anti-corruption agencies and core state institutions in the fight against corruption in Nigeria

- RQ 3: What are the challenges of Anti-corruption Agencies and Core State Institutions in the fight against corruption in Nigeria?

The following challenges were identified from the study. They include:

i. Independence from Political Interference

The anti-corruption agencies have come under serious attack for being an instrument of manipulation in the hand of the Executive arm of government. Critics accuse the anti-corruption agencies of embarking on selective prosecution of members of opposing political parties and neglecting that of the members of the ruling party (Human Rights Watch, 2011; TI, 2020). Besides, the heads of anti-corruption agencies have no security of tenure and can be removed by the president at will, without any form of consultation or approval from the National Assembly (EFCC, Act, 2002). All these affect the effectiveness of anti-corruption agencies.

ii. Lack of Budget Predictability

The anti-corruption agencies face weak funding and capacity-building structure for its staff. Fighting corruption is expensive and need suitably and adequately trained personnel. As at 2018, the Federal government allocated a total of \$80.6 (29, 016 million) to the three anti-corruption agencies (EFCC \$60 (N21, 600 million); ICPC \$12.3million (N4,428 million); and CCB/T \$8.3 million (N2,988 million) (Human Rights Watch, 2011). Poor budgeting has hindered the effectiveness of anti-corruption agencies. Anti-corruption agencies require funds to hire personnel in all 36 states of the Federation and Abuja. Currently it has offices in 14 states due to inadequate staff and overworking (Suleiman, 2010).

iii. Absence of developed Political Structures or Institutions

There has been absence of requisite favorable legislative framework needed for anti-

corruption agencies to be effective. Laws like the Anti-Money Laundry Act that requires not only proof of laundering but proof that the money laundered came from illegal act gives room for defeat of genuine corruption cases. That was why the case of Governor James Ibori (Delta State Governor) was lost in Nigeria was as a result of the inelegant drafting of the Anti-laundry law but jailed in the same offence in a British court. Legislative reforms aimed at simplifying these over-arching laws would be needed.

Moreover, to aid effectiveness of anti-corruption agencies, there is need for a more effective asset disclosure framework. There is no provision for asset disclosure. The constitution of 1999 currently does not require general public (private and public citizens) disclosure of assets and liabilities. This is discomfoting omission because the public cannot monitor what they do not know. Only public officials are mandated to disclose assets by Code of Conduct Bureau (CCB, 1990). The essence of disclosure is to aid accountability through public scrutiny.

iv. Lack of Awareness of Whistle Blowing Policy

In Nigeria, newspapers enjoy the freedom to access public records, courtesy of freedom of information Act on May 2011. However, the media and civil society can report corruption cases anonymously, especially because of whistle blowing policy of President Buhari's regime. Lack of enlightenment and political education have hindered awareness of citizens and civil society.

v. Judicial Inefficiency

The EFCC Act of 2002 grants jurisdiction to both federal and states courts to try EFCC cases. Though the EFCC Act provided that

special judges or courts should be designated to hear corruption cases and conduct proceeding with dispatch and accelerated hearings, many of the EFCC's cases have made little progress in courts. Of the EFCC's 12 ongoing prosecutions of former state governors, eight have already been dragged out for more than three years. Some have gone more than four years without a single witness being called at trial (Human Rights Watch, 2011). With the exception of the Lagos State court system, no other state courts or judges in the federal system are designated to hear the corruption cases – and even in Lagos State, the designated judges still have to hear other cases involving other matters on their docket.

Most state courts, for example, still lack a formal mechanism to admit electronic documents into evidence. Many judges must take their own notes in longhand. The judiciary, including appellate courts also strain themselves under the burdens of an excessive caseload. But the most extreme delays come from the court system's backlog of appeal cases. Many judges halt trials while interlocutory appeals are decided by higher courts, and skilled defence lawyers can exploit this to generate months or even years of delays in any given case as noted by other study (Human Right Watch, 2011). These and other factors conspire to create extra-ordinary delays in prosecuting corruption cases.

vi. Lack of Political Will and Accountability

The principles of checks and balances, that is, separation of powers between the executive, legislature and judiciary facilitates accountability. Through parliamentary oversight function, audit-system, and budget management, especially the introduction of Treasury Single Account (TSA) and electronic governance, accountability for public officers

has been enhanced, but not fully developed. Cases of ghost workers have been uncovered (Ojo, 2018; Eneanya, 2020). Eagle Claw Software (digital technology) was established as EFCC's efforts to track accountability, and enable public officials display transparency in discharge of their duties. Declaration of public officials' assets are encouraged by Code of Conduct Bureau for political competition and accountability. There is also community oversight by civil society through Ombudsman (Public Complaints Commission) to promote transparency and improve governance. Finally, the judicial system administers and enforces corruption cases in court, in concert with Nigerian Public and office of the Attorney –General to seize properties, convict culprits and incarcerate individuals. Though, core State Institutions' contributions to accountability and good governance is effective, more collaboration with anti-corruption agencies would improve, the battle for accountability and transparency among political and administrative office holders in Nigeria. The partisan pattern of not prosecuting corrupt party members is still a challenge. Accountability is still a serious challenge in building state capacity and improving governance in Nigeria.

## **Conclusion and Recommendation**

As analyzed from the study, corruption is still pervasive in Nigeria and has turned public service into a kind of criminal enterprise. The war against corruption is a class war and should not be left for anti-corruption agencies alone. The core state institutions comprising of the police, the office of attorney general, courts, audit system legislature, among other are weak and not actively complementing the activities of anti-corruption agencies. There

is need for political will and commitment between the anti-corruption agencies and core state institutions in the fight against the menace of corruption. It is a class war between the political and bureaucratic class for their self-interests and powerless citizens. Despite implicit and explicit constraints, Nigeria stands a chance to win if citizens and civil society are also involved. However, the following are the way forward to fight corruption in Nigeria:

i. Political Institutional Reforms of Core State Institutions

There is an urgent need for total institutional reforms of the Core State Institutions. These institutions should be committed and diligent in investigating, prosecuting, preventing, educating, and convicting of corrupt cases. Furthermore, there is need to reform some sections of the 1999 constitution. The Anti-Money Laundry Act that requires not only proof of laundering but proof that the money laundered came from illegal act should be amended to state only proof of laundering (EFCC Act, 2002).

ii. Political Will

There is need for political will on the part of the Nigerian political leadership to stamp out corruption from the country. Whether corrupt public officials are from ruling party or opposition party, there should be tenacity of purpose in dealing with corruption cases. They should be prosecuted. There is also the need for intensification of public enlightenment of members of civil society on the dangers of corruption by political class. This would go a long way to re-orient values of citizens and deter criminals from engaging in corrupt issues, especially where leaders are leading by examples and not precepts. The cherished traditional values of transparency, hard work,

high moral standards, discipline, love, and integrity should be introduced in the schools' curriculum and form part of our national ethics and values.

iii. Capacity Building

Anti-corruption Agencies' officials should be properly trained to face the onerous tasks before them. Government should motivate employees with competitive salaries and good working conditions. The Nigerian Police Force is poorly remunerated. This makes them vulnerable to corruption. Moreover, the officials of anti-corruption agencies should be covered with insurance policies and other incentives to induce them to perform their functions to the best of their abilities courageously. The officials' security is at great risk from corrupt officials, who are also ready to fight them.

iv. Use of Digital Technology

Digital literacy would be relevant in this regard for management of information system. Adopting e-government, whereby digital technology is used to access and deliver services directly to citizens can be an effective measure to reduce corruption. Use of cashless e-payment methods for goods and services would exchange of cash and the chances of corruption (Eneanya, 2020).

v. Citizens' Engagement and Whistle-Blowing Policy

Government should endeavor to carry civil society organizations and the Nigerian people along. Anti-corruption fight is a confrontation with the powerful and privileged class of Nigerians. To demobilize the seemingly confounding weapons of propaganda and wealth they have, the government of Nigeria should align with civil society organizations.

The whistle blowing policy should be maintained and sustained. Core State Institution and citizens should complement the activities of anti-corruption agencies in the fight against corruption. This would make the anti-corruption effort a serious business in Nigeria.

vi. Establish an Anti-Corruption Legal Framework and Stop Political Interference

For genuine fight against corruption, there should be adequate corruption legal

framework, so that interference by politicians in the operation of law enforcement agencies, would be eradicated

vii. Establishment of a Special Court

Special courts should be established to try corruption cases and anti-corruption agencies empowered to prosecute cases, instead of relying on the office of Attorney-General to prosecute corrupt cases and interfere with cases involving Politically Exposed Persons (PEPs).

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# Corruption, Accountability and Sustainable Development in Kenya: Understanding the Linkage

  
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## Abstract

*The paper presents on the linkage between corruption, accountability and sustainable development in Kenya. The main thrust of the paper is that corruption is an impediment to the realization of sustainable development goals., and where there is limited accountability, corruption thrives. The Constitution of Kenya 2010, identify accountability as a key pillar for good governance. Article 10 on the Values and Principles of Governance and Article 232 on the guiding principles of Public Service provides impetus for increased democracy, accountability, integrity and professionalism among public officers. This is in acknowledgement of the fact that government officials are stewards of public resources and guardians of a special trust that citizens have placed in them. In return for this confidence, they are expected to put public interest above self-interest.*

*The paper opens by discoursing the meaning of the term accountability. In discussing the concept, four pertinent questions are raised: - who is accountable, for what are they accountable; to whom are they accountable, and does the chief executive officer (CEO) take responsibility for every aspect of the organization's operations? This paper contends that public accountability is not a one person's or one agency's responsibility but involves individual employees, leaders of organizations and a range of entities, agencies, and institutions. The paper is anchored on stewardship theory that helps identify key characteristics that are worth promoting in view of public accountability.*

*The second part of the paper explores the meaning of corruption. A discussion on how corruption is a hindrance to the achievement of sustainable development ensues. The paper posits that in countries where corruption is rife, such countries fall short of realising the laid out sustainable development goals, targets, and indicators. It is therefore noted that corruption is a thief of economic and social development. The paper closes by highlighting the multi-faceted approaches adopted in Kenya to combat corruption in efforts to promote accountability and realize sustainable development goals. This paper contributes to the growing literature on accountability for better governance in public sector institutions.*

**Keywords:** Accountability, Corruption, Sustainable Development, Public Sector, Leadership, Integrity, and Trust

## Introduction

Accountability is the foundation of trust in the Government. Without accountability there are risks that the extraordinary powers granted to government officials can be misused, or that resources can be wasted through inefficiency

and poor management. The Constitution of Kenya 2010 identifies accountability as a key pillar for good governance. Article 10 on the Values and Principles of Governance and Article 232 on the guiding principles of Public Service provides impetus for increased democracy, accountability, integrity, and

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professionalism among public officers. This is in acknowledgement of the fact that government officials are stewards of public resources and guardians of a special trust that citizens have placed in them. In return for this confidence, they are expected to put public interest above self-interest for public office is a public trust.

Today, citizens are demanding clearer and greater accountability for the way the government spends their taxes and uses its authority. It is apparent that citizens today all over the world are demanding clearer and greater accountability for the way the government spends their taxes, develops policies, makes decisions and uses its authority. Citizens now demand for fair treatment, efficient and effective service delivery, citizen engagement in policy making and the observance of the rule of law. Citizens expect public servants to serve the public interest with fairness and to manage public resources properly on a daily basis. Fair and reliable public services and predictable decision-making inspire public trust and create a level playing field for businesses, thus contributing to well-functioning markets and economic growth. Citizens lose confidence in a government that is unable to deliver basic services. With this in mind, public servants and government institutions must re-look into how they serve the citizens and clients from the perspective of accountability not only for results but the means as well. To effectively understand the concept of accountability four key questions must be answered: “who is held accountable, for what and to whom and does the chief executive officer (CEO) take responsibility for every aspect of the organization’s operations?”

This paper deliberates the inter-linkage between corruption, accountability and sustainable

development by first discussing the meaning of the terms public accountability, corruption and sustainable development goals. The paper then delves into how corruption is a hindrance to the achievement of Sustainable Development Goals and notes that where there is limited or no accountability, corruption thrives. The paper closes by highlighting the multi-faceted approaches adopted in Kenya to combat corruption and strengthen accountability in public sector institutions.

## **Accountability: Conceptual Underpinnings**

From the literature reviewed, it emerges that accountability is a concept often discussed but rarely consistently clarified and defined. Bovens, 2007; Hall, Frink, & Buckley, 2015; Tetlock, 1985 note that accountability is a complex and multidimensional concept that is constantly evolving. This paper highlights some of the key definitions advanced by different scholars and authors. Accountability is understood as the obligation to render an account for a responsibility that has been conferred (Van Niekerk, Van der Waldt & Jonker 2002, 3). It focuses on the ability to account for the allocation, use and control of public expenditure and resources in accordance with legally accepted standards, regarding budgeting, accounting and auditing. The report of the Economic Commission for Africa (ECA Study, 2002) defines accountability as ‘holding responsible elected or appointed individuals and organisations charged with a public mandate to account for specific actions, activities or decisions to the public, from which they derive their authority.’ Accountability involves the obligation on the part of public officials to report on the usage of public resources and answerability for failing to meet stated performance objectives (Elia Armstrong

August 2005). Therefore, accountability is an expected standard of public life, where holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their offices. This obligation might stem out of a moral ethical need to account for one's actions, or out of a legal requirement.

## Public Accountability

For purposes of this discussion, this paper presents seven key aspects that help clarify the meaning of public accountability. Ayeni (1998) defines public accountability as being “about how those who exercise powers in the name of the public fulfil their duties and obligations, and the process by which they are made to answer and account for their actions. It is also incorporates the responsibility of public officials and agencies, ways to minimize the abuse of power and authority, and strategies to ensure that those in authority comply with acceptable standards, and can be sanctioned whenever necessary”. It also encompasses the obligation to give answers and explanations concerning one's action to those with a right to inquire or those with a reasonable expectation of receiving such answers and explanations. In essence then, the concept of public accountability means acknowledging responsibility for actions performed, decisions taken, or policies formed, for products, performance of tasks and for uncompleted tasks and omissions by individual or organizations. It also involves being accountable for the results (or lack thereof) of the resource entrusted to their care due to a responsibility bestowed on them.

Public accountability manifests itself in two primary forms: fiscal and social accountability. Fiscal accountability involves operating within

the agency's allocated budget and the careful accounting for all expenses at the end of the financial year ensuring that the agency did in fact do their job. While social accountability is citizen-led action to hold public officials and service providers to account for the use of public resources and services delivered. It involves citizen participation in actual resource allocation, decision-making, budgeting, spending, recording, accounting, and reporting the impact on people's lives. It does not only involve following the shilling to the ground but ensuring that government services are delivered as planned and budgeted, that they are of quality and that there is good value for money.

Is public accountability a one person's or one agencies responsibility? In other words, who is accountable? This paper posits that public accountability lies at both personal and collective level. Overman and Schilleman (2021) identify four archetypical public administration account givers at collective level. These include: policy makers at ministerial level whose main task is policy making and they delegate the implementation to the operational parts of the public service; organizational leader/chief executive; highly skilled public sector professional with a technically complicated task and the public employee who implements specific public policies in direct contact with citizens and other societal stakeholders. Individual public officers are accountable for their performance and for the results and failures of the activities and tasks assigned to them though sometimes public officers strategically and effectively evade accountability and blame (Hood 2011). The chief executive officer is ultimately responsible for successes and shortcomings of the organization. He/she has an ethical and a legal accountability to both the owners

and the shareholders. It is therefore arguable that public sector accountability is not a one person's responsibility but involves policy maker, organizational leaders, and individual employees. Further, public accountability is not led by any one agency but a range of entities, agencies, and institutions. Many different arms of government are involved in various capacities in overseeing how public resources are used.

To whom is one accountable is another crucial question. In public service, there are multiple account givers and account holders. The service providers are account givers, and their main responsibility is to be accountable to the people whom they serve and not just to higher authorities in the institutional chain of command. According to the psychological theory of felt accountability, the account holder is authoritative and has the capacity and position to judge and sanction the account giver (Hochwarter et al, 2007). The account holders include the general public who are the recipients of public services, the political leaders, and supervisors of service providers. Dele Olowu (1993) states that "public accountability is the requirement that those who hold public trust should account for the use of the trust to citizen or their representatives". He further observes that "public accountability signifies the superiority of the public will over private interests and tries to ensure that the former is supreme in every activity and conduct of a public official."

Public accountability has a legal element. Considine (2002: 21) defines accountability as the 'legal obligation to respect the legitimate interests of others affected by decisions, programs and interventions. In doing so, public organizations must provide a duty of care, information on expenditure and be subject to legislators in the exercise of their authority.

Public accountability therefore refers to the constraints placed on the behaviour of public officials by organisations and constituencies which have the power to apply sanctions to them.

For what' is public accountability about? Public accountability doesn't exist in a vacuum. Accountability works in tandem with clear goals and objectives, consequences, and a cycle of continuous improvement. Accountability in the workplace is only possible when employees understand what they are accountable for. They need clearly defined expectations, norms, and values that they shall be required to observe. At the same time, there must be clear sanctions by which they can be punished in case they fail to adhere to those expectations, norms, and values. They can't live up to expectations they aren't aware of or that they don't understand. Organizational leaders or managers are ultimately responsible for establishing clear expectations in terms of work to be done and behaviour expected. It is on this basis that answerability for work done or not done can be gauged and on which enforcement of penalties or mechanisms for redress can be executed.

Overman and Schilleman (2021) highlights the issue of timing in matters accountability. Quoting (Hall, Frink, and Buckley 2017; Lerner and Tetlock 1999) they note that a key issue in accountability environments is the timing of accountability. At what moment in the individual's decision process is accountability enacted or expected? Is the person held accountable before committing to a course of action or after having taken a decision or pursuing that course of action? Does the individual know the expectations held by salient accountability holders, so that decisions can be aligned to those expectations, or are accountability expectations ambivalent

or unknown? Schillemans, 2016 posits that the timing of accountability has an impact on how decision makers in public administration respond to accountability.

From the various conceptualization of accountability outlined above, two components stand out: answerability and enforcement. Answerability meaning- holding public officers and organizations responsible as objectively as possible for all actions, decisions and policies made while in office and for all results and deviations from stated goals and values. Enforcement involves imposition of penalties if justifications for impropriety or inaction is found unsatisfactory. There must be mechanisms in place for holding the agent to account for their decisions and if necessary for imposing sanctions. The paper holds that accountability is the glue that holds government and society together and ties commitment to results. It also holds that corruption thrives where there is limited or no accountability.

## **Theoretical Framework**

In discussing the concept of accountability, this paper makes reference to stewardship theory.

Stewardship is defined as the willingness to be accountable for the wellbeing of the larger organisation by operating in service, rather than in control, of those around us. Stated simply, it is accountability without control or compliance. The stewardship theory holds that people are intrinsically motivated to work for others or for organizations to accomplish the tasks and responsibilities with which they have been entrusted (Kojo Menyah) and that the managers inherently seek to do a good job, maximize company profits and bring good returns to stockholders. They do not necessarily do this for their own financial

interest, but because they feel a strong duty to the firm (Davis, Schoorman and Donaldson (1997)). In stewardship theory, the model of man is based on a steward whose behaviour is ordered such that pro-organisational, collectivistic behaviours have higher utility than individualistic, self-serving behaviours (Davis, Schoorman and Donaldson (1997)). A steward derives satisfaction from the success of the organisation and his or her behaviour is organisation-centred rather than self-centred. Therefore, a steward focuses on performance, organisation development and improvement and, consequently, satisfies more stakeholders than the agent. Stewardship theory embraces virtues like trust, transparency, fairness, integrity, professionalism, loyalty, reliability, honesty and willingness to be concerned for the interests of others. These virtues are key to accountability as advanced in this paper.

## **Meaning of Corruption**

The term “corruption” is derived from the Latin word “corrupts” meaning “to destroy”. This implies destruction or breakdown in ethical and moral values; systems and institutions of governance, societal traditions, personal value system, breakdown of law both human and religious law, destruction of set visions and agendas. Transparency International and World Bank define corruption as ‘abuse of entrusted power or authority for personal gain or advantage at the expense of public good or collective interest. According to Klitgaard (1988), corruption occurs when an agent betrays the public interest in pursuit of one’s own. Leys (1965) refers to corruption as behaviour that breaks some rule, written or unwritten about the purpose to which the public officer/institution has been put. Corruption is ‘an act of dishonesty, an immoral or wicked act’ (Oxford Dictionary). Pope Francis (Mar

18, 2019) compared corruption to cancer, a disease that is destructive to human life and health. “Corruption is indeed the worst disease that a society can have. It is not only inefficient economically, but it is also a source of moral decay, both for the society as a whole and for each and every individual who is caught in its net.” - Alassane Ouattara, former Prime Minister of the Ivory Coast, in a speech at the 9th International Anti-Corruption Conference, Durban, South Africa. The late Kofi Annan, the former UN Secretary General defined Corruption ‘as an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life, and allows organized crime, terrorism, and other threats to human security to flourish.

The United Nations Convention Against Corruption (UNCAC) does not define corruption and neither does Kenyan law. At best, they provide descriptions of what entails corrupt conduct and/or offences. According to Kenyan law, corruption includes a wide range of offences from the high-level embezzlement of public funds to bribery, fraud, abuse of office, misappropriation of funds, extortion, conflict of interest, illegal payments and kickbacks, nepotism and favouritism, bid rigging, deceiving the principal, secret inducement, dealing with suspect property among others (ACECA, 2003, POCAMLA, 2009). In view of these definitions, it can be said that corruption is a complex social, political, legal, religious, and economic phenomenon that affects all countries big and small, rich and poor. It is a phenomenon that depicts an individual’s moral failing and/or an institutional flaw in both public and private sector. It thrives in conditions where accountability and institutions are weak, and

where there is a shared expectation of corrupt behaviour. In other words, weak institutional systems along with poor governance structures provide opportunity for corruption to thrive. The effects of corruption and influence peddling reach far and wide, affecting public decisions and services in local communities and internationally. Given these factors, corruption can undermine successful implementation of all 17 Sustainable Development Goals (SDGs).

## **Sustainable Development Goals (SDGs)**

The Sustainable Development Goals (SDGs) also referred to as the 2030 Agenda were created at the United Nations Conference on Sustainable Development that was held in Rio de Janeiro, Brazil, in 2012. The 2030 Agenda spells out 17 SDGs with 169 targets and over 300 indicators to be achieved “for all nations and peoples and for all segments of society” that includes a firm commitment to “leave no one behind” and “endeavour to reach the furthest behind first” (UNDP). Thus, the 2030 Agenda is a plan of action for People, Planet and Prosperity now and into the future. At the heart of this plan are the 17 Sustainable Development Goals aimed at ending poverty and hunger, improving access to education, decent healthcare, clean water, clean energy to curbing inequalities, discrimination, and exclusion; empowering women and girls and other essentials. “The agenda offers a unique opportunity to put the whole world on a more prosperous and sustainable development path (UNDP). It is worth noting that the SDGs are a furtherance of the Millennium Development Goals (2000- 2015) built on the foundation of peace, effective governance, human rights, and stability and seeking to free the human race from the tyranny of poverty and want and to heal and secure the planet. The (SDGs)

are a universal call to action by all countries – developed and developing to achieve a better and more sustainable future for all by the year 2030. The 2030 Agenda on Sustainable Development Goals fall into three dimensions: economic, social and environmental sustainability and aim at transforming the world in the three dimensions.

## Implementation of SDGs in Kenya

SDGs in Kenya were adopted in January 2016 and have made remarkable changes in the country in under two years. In furthering the SDGs process in Kenya, the Cabinet directed through a cabinet memo that all Ministries, Departments and Agencies (MDAs) mainstream SDGs into their policy, planning, budgeting as well as monitoring and evaluation systems and processes. To further strengthen the local capacity for SDGs, the government undertook a detailed analysis of SDGs indicators against Kenyan policy framework. Since the adoption of the SDGs, Kenya has made progress in the implementation of the SDGs. According to the Ministry of Devolution and Planning Report, 2018, major progress has been made towards ending hunger and poverty (decreased to 45.2 percent), access to education, healthcare, safe and clean water, curbing inequalities, discrimination, and inequalities among other aspects of the SDGs. The primary school's enrolment and completion rate has increased and the transition rate from primary to secondary schools has also gone up. Special initiatives have also been undertaken to enhance access to education by the vulnerable including disadvantaged and female students. In Kenya access to safe, adequate, and reliable water supply is one of the central indicators of socio-economic development. In 2020, representation by women in single or lower

houses of national parliament reached 25 per cent, up slightly from 22 per cent in 2015. There have also been more women than ever in the labour market. There is also improved access to high quality comprehensive health care at subsidized costs and enhanced access to healthcare by Kenyans particularly the vulnerable segments of the society. There is a drop in female genital mutilation and cutting (FGM/C) is becoming less common, a drop in the under-five mortality rate (from 115 to 52 per 1,000 live births, with the infant mortality rate dropping from 77 to 39 per 1,000 live births) and a decline in rates of child marriage not only in Kenya but globally.

‘Though the Sustainable Development Goals Report 2018,’ finds that “more people are leading better lives” than they were a decade ago, the progress to ensure that no one is left behind has not been rapid enough to meet the targets of the 2030 Agenda. In other words, the road to actualizing these sustainable development goals has not been that smooth. There is a gap between the formal expression of intent from sovereign nations and the reality on-the-ground (UN DESA, 2018). What then are the barriers to the achievement of these goals and targets? Reviewed literature indicate that the major obstacles is premised on the fact that there is poor leadership in government, financial constraints, corruption amongst leaders at various levels of government, negative culture, and other social barriers such as the marginalization of the poor, entrenched inequities and limited awareness about sustainable development. This paper addresses ways in which corruption bars the realization of Agenda 2030 on transforming the world - mainstreaming the principle of ‘leave no one Behind’? Is the gap unbridgeable?

## The Link between Corruption, Accountability and Agenda 2030

Figure 1 shows that where there are solid public sector accountability mechanisms, there is a high like-hood of delivering a sustainable future for all people and the promise of a transformed world. However, corruption in all its forms pauses a serious threat to the implementation and realization of SDGs.

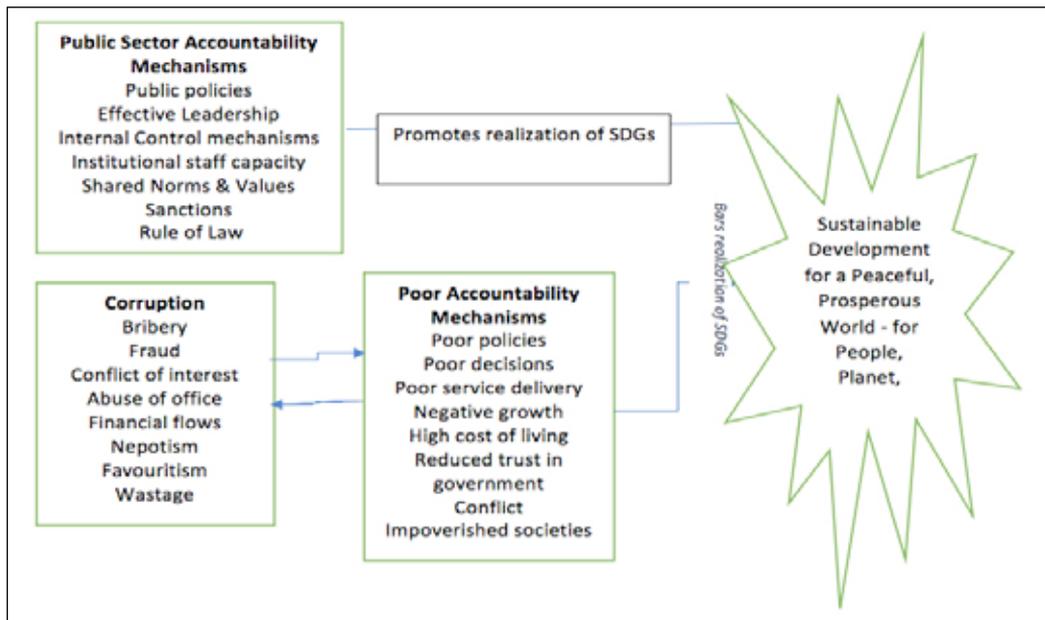


Figure 1: Conceptual Framework

Figure 1 further shows that corruption thrives where there is limited or no accountability and if we are serious about sustainability, we need to get serious about corruption. It is noted that almost one in five firms worldwide report receiving at least one bribery payment request when engaged in regulatory or utility transactions (UN DESA, 2018). UNODC (2015) quoting Aidt (2010) notes that corruption can put a country on an unsustainable path in which its capital base is eroded.

### The Link between Corruption and Agenda 2030 in Kenya

The international community has recognized that tackling corruption is vital for sustaining

economic stability and growth and protecting the environment for future generations. As stated in the preceding paragraphs, the SDGs aim to achieve economic, social and environmental sustainability by the year 2030. This includes ending poverty and hunger, improving access to quality education, decent health care, safe and clean water, clean energy, curbing inequalities, discrimination, and exclusion; empowering women and girls among others. The importance of anti-corruption is explicitly high lightened in Goal 16, target 4, 5, 6 and 8 which requires all states to substantially reduce corruption and bribery, to develop effective, accountable, and transparent institutions and strengthen the participation in global governance, reduce illicit financial flows, and strengthening the

recovery and return of stolen assets. How has corruption barred the achievement of SDGs in Kenya?

Corruption is intrinsically linked to all 17 SDGs. It affects many SDGs in their implementation process as a “hidden factor”. Transparency International’s research has demonstrated for instance that in countries where bribery is common or widespread; there is higher maternal mortality rate and half of school children do not complete primary school. In the poorest countries, one out of every two people has to pay a bribe to access basic services like education, health, and water (Transparency International Rwanda).

Several studies provide evidence of the negative correlation between corruption and the quality of government spending, services, and regulations. According to United Nations Office of Drugs and Crime (UNODC), corruption, bribery, theft, and tax evasion cost some US \$1.26 trillion for developing countries per year. The African Union estimates that 25 per cent of the continent’s GDP (nearly 150 billion dollars) is lost due to corruption. Nations that fight corruption and improve their rule of law could increase their national income by 400 per cent. Estimates show that the cost of corruption equals more than 5% of global GDP, or USD 2.6 trillion (World Economic Forum), with over USD 1 trillion paid in bribes each year (World Bank). The United Nations Economic Commission for Africa too reported that corruption swallows at least \$140 billion in all the African Union (AU) member states every year yet the AU’s annual budget is dependent on foreign aid by 73 percent. According to the Ethics and Anti-Corruption Commission, Kenya is losing an estimated Kshs 608.0 bn to corruption yearly, which is 7.8% of Kenya’s GDP. Most of this lost wealth meant to be invested in

infrastructure projects, humanitarian aid and good governance. Having to pay a bribe for life-saving medicine and official documents like passports and driver’s licences would for many people seem unthinkable. We need to fully address the corrosive effects of corruption to have any hope of achieving the Sustainable Development Goals (SDGs).

Kenya has lately been in the lime-light for numerous cases of corruption especially in the public sector. Instances of corrupt practices by top government officials have continued to abound in Kenya at both national and county government levels. Though Kenya is the 95 most competitive nation in the world out of 140 countries ranked in the 2019 edition of the Global Competitiveness Report, corruption is yet identified among the most pertinent competitive challenges facing firms in doing business in Kenya. And though there is a steady rise in Kenya’s score and ranking under the TI Corruption Perception Index (CPI) from 144th out of 180 countries with a score of 27/100 in 2018; to 124th with an improved score of 31 in 2020, mega corruption scandals hit Kenya in the same period involving major state corporations leading to loss of billions of shillings (CPI doesn’t actually claim to measure corruption at all; it measures perceptions of corruption) - These include: the National Youth Service Ksh791million; Kenya Pipeline Company (KPC), involving Ksh 2billion; National Cereals and Produce Board (NCPB) maize scandal (Kshs1.9billion; National Health Insurance Fund (NHIF) ksh1billion; and shoddy land transactions at the Ministry of Lands, THE Standard Gauge Railway(SGR), Kenya Medical Supplies Authority (KEMSA) scandal involving COVID-19 Funds; Arror and Kimwarer dams scandal of 2019 leading to lose of 19 billion; and Kenya Power and Lighting Company involving ksh200 million relating

to the irregular procurement of transformers. Other state entities also named in media reports for corruption scandals include the Energy and Petroleum Regulatory Authority (EPRA) and now the Football Federation of Kenya among others (EACC TUKO, 2018; C. Nyakundi, 2018). From these few cases high lightened, it can be said that corruption has grossly undermined the delivery of public services such as health care - medical supplies, food prices (maize), cost of power and lighting supply, and jeopardises the country's short-term skills provision objectives. It also portends irredeemable long-term opportunity costs and compromises people's futures and their development.

Yury Fedotov, 2013 notes that "Corruption is the thief of economic and social development; stealing the opportunities of ordinary people to progress and to prosper. It leads to the theft, wastage, and misuse of scarce resources and also entrenches elite privilege and inequality, undermining institutions of accountability with lasting consequences." The Chief of Missions in Kenya, 2014 noted that "Corruption is undermining Kenya's future. It threatens Kenya's economic growth, security, and the provision of government services. It jeopardises Kenya's Vision 2030 goals. Corruption is holding the country back. It is an unwelcome companion and has no place in Kenya's bright future. Corruption diminishes government services. People don't get the benefit of their taxes because the money has disappeared into someone's pocket. Money spent to deliver public goods such as safe roads and health care services and education doesn't go as far" (The Standard, 2014).

The EACC Research Report NO. 9 of May 2019 highlights that Kenya's public service continues to suffer high incidence of corruption and poor service delivery at both the national

and county government levels. EACC Corruption Survey report, 2018 indicated that massive unemployment remains a key concern with 36.8 percent of the sample size saying it is a major challenge. Poverty and famine comes third, with 27.2 per cent followed by high cost of living at 16 per cent. While 13.40 per cent of Kenyans say bad infrastructure is a challenge, 11 per cent said unfavourable economic conditions is their main challenge, while 10.20 per cent raised concerns over insecurity and 8.7percent identified lack of clean/safe water.

Corruption has very long-lasting consequences in the education sector. It steals the future in that it affects access and quality of education, withers away social trust, kills the vision of No child left behind, affects human capital development and therefore the labour market (Transparency International, KACC, 2009). If children and students come to believe that personal effort and merit do not count and that success comes through manipulation, favouritism, and bribery, then the very foundations of society are shaken. The education sector ought to be safeguarded since it churns out the future workforce of a nation. Consequently, corruption undermines the delivery of public services such as health care, water and education depriving the poor and vulnerable people of essential services and hinders the achievement of goals and useful visions such as the ambitious vision 2030 (Hope Sr, 2014). EACC Report 2018, TUKO News).

The prevalence of corruption in Kenya also warps the political process attacking the very foundation of democratic institutions by distorting electoral processes, perverting the rule of law and overall governance. In fact, during the electioneering corruption is seen to thrive the most as people sell their right to elect appropriate leaders for money. Corruption

facilitates abuse of the environment and misuse of natural resources. It denies people the right to clean and non-toxic surroundings as well as the public dividends from natural resources (Transparency International, UNODC, 2011). Moreover, corruption deeply undermines legitimacy and trust in public institutions and shapes people's perceptions of government performance and state effectiveness. Corruption fuels rise in crime rate, insecurity and the drug trade, further limiting government's ability to implement many of its priority reforms, including its anti-corruption reform agenda. Corruption and bad governance in Kenya therefore not only distort the availability of funds for development activities but also directly affect development assistance partnerships (George Mbithi 2019).

In view of these research findings, media reports and statements it can then be said that tackling corruption in the country therefore remains a national development priority, underpinned by the normative requirements of the Agenda 2030 for Sustainable Development Goals. Something has to be done fast to salvage the situation since the success of the nation depends on it. Yes, something needs to be done to salvage the strategic hope of achieving the Sustainable Development Goals (SDGs). Today, Kenyans view corruption as the biggest monster that has crippled the country's economy, besides foreign debt and the ravaging effects of COVID-19.

## **Efforts to Combat Corruption and improve accountability**

The UN Convention against Corruption (UNCAC) that came into force in December 2005 and ratified by 155 States, is the only international legal instrument to fight corruption. The Convention obliges States

to prevent and criminalize corruption; to promote international cooperation; to recover stolen assets and to improve technical assistance and information exchange in both the private and public sectors. The Convention introduces ground-breaking measures in four areas: prevention, criminalization, international cooperation, and asset recovery. The African Union Convention on Preventing and Combating Corruption (AUCPCC) and other instruments at Africa regional level such as UN Convention against Transnational Organized Crime (2000, UNTOC), SADC Protocol against Corruption (2001, SADC Protocol), ECOWAS Protocol on the fight against corruption (2001, ECOWAS Protocol) have application to corruption issues in Africa -promote the criminalization and prevention of corruption.

The Government of Kenya has put in place diverse strategies in efforts to address the problem of corruption in order to enhance accountability. These include continuous enactment and review of anti-corruption legislative framework: establishment and strengthening of requisite institutional framework such as the Ethics and Anti-Corruption Commission, Asset Recovery Agency, the Financial Reporting Centre, the Auditor General's Office, and other watchdog institutions. The Government of Kenya has also developed the National Ethics and Anti-Corruption Policy and other policies for regulating and monitoring ethical standards, anti-money laundering measures, establishment of partnerships and coalitions at such as the Multi-Agency Team (MAT) and application of Mutual Legal Assistance (MLA) at international level; the development and implementation of codes of conduct and compliance, and issuance of circulars and instructions.

The paper acknowledges that the measures undertaken by the government of Kenya are splendid, but the effectiveness of these measures ought to gauge against the budget expended and the results realized. Unfortunately, the public watchdog institutions responsible for horizontal accountability have largely been rendered ineffective due to lack of capacity, intimidation, and interference by the Executive (Billow Kerrow, Oct 2016). Heywood 2017; Rose-Ackermann and Palifka 2016 note that despite the rise and spread of the global anti-corruption movement, many highly corrupt countries have made little progress on reducing corruption hence the need to rethink.

## **Way Forward: What Can be Done**

This paper takes the preventive perspective to handling corruption as the old adage that “an ounce of prevention is better than cure.” Though preventive measures are hard to sell to the public, they have better results. This paper therefore recommends the need to build and expand staff capacity, strengthen institutional systems, engage, and sensitize the citizenry, engage trained and informed media and re-tooling of leaders in matters accountability.

### **a. Building Institutional and Staff Capacity**

Public officers and institutions are the account givers. For this reason, there should be deliberate and purposeful efforts to build staff and institutional capacity to improve accountability and service delivery to the people. This calls for equipping staff with requisite knowledge, values, attitude, and skills. The objectives, content and pedagogy of anti-corruption, ethics, and compliance programmes should be reframed to trigger desired change. Do public service offices adequately internalize the laws, regulations,

policies and mandates that they implement? Sometimes I tend to think that some don't. Therefore, trainings should be conducted so as to make public servants aware of about their responsibilities in changing scenarios. There is also need to inculcate a sense of anticorruption spirit in the public. Tony Blair, Prime Minister of the United Kingdom (1997-2007 and founder, Tony Blair Institute, 30 Sep 2015) notes that “a concerted effort to strengthen government capacity and efficiency would be an excellent complement to the SDGs. But it should be carried out with a practical eye.”

### **b. Citizen Engagement**

Citizen form part of the account holders. They are responsible of holding those to whom they delegate authority to account. Citizens should be empowered to know what corruption is, the cost of corruption and their rights and responsibilities towards their governments. Building an empowered citizenry capable of engaging constructively with governments and other service providers and holding these entities accountable for the provision of quality, accessible and sustainable services is critical. Public participation is anchored in the Kenyan Constitution so that citizens can interrogate public policies, value for money decisions and hold their government to account.

### **c. Media Involvement**

The media has a big responsibility of conscientizing the public by reporting and unearthing incidents of corruption, educating and creating awareness, generating debate and discussions, influencing, and shaping public opinion and perceptions and instilling fear by naming and shaming. Given their watchdog function, there is need for more and better training of the media experts to report on integrity and accountability of public sector

entities. However, the existence of free but responsible press is of paramount importance.

#### d. Role of Leaders in Accountability

Leaders at all levels of the organization are the pacesetters of accountability. They demonstrate accountability through their behaviour (role modelling), quality of decision-making, by setting clear performance standards that they expect of their employees and ensuring that there is total compliance with government regulations. Leaders set the pace and demonstrate accountability and ensuring it in others by exhibiting discipline; communication, integrity, execution, supervision, commitment and compliance. Accountability occurs when leaders reliably deliver on their commitments, showing others they can be trusted to do what they say they'll do.

#### e. Political Will

It appears that political will is the single most important ingredient to fight corruption (Cytton, 2018). The degree of political will

is manifested in the provision of legal powers, financial and human resources, and operational independence of their anti-corruption agencies. Kenya has effectively attended to these. What then is the issue? I conceive that the establishment of anti-corruption agencies is not enough, anti-corruption agencies need the necessary support by the government to enforce their mandate, they need adequate financial support and good will from all stakeholders. Sustainability across political regimes and stakeholders is paramount.

## Conclusion

This paper concludes that tackling corruption is vital for sustaining economic stability and growth, promoting peace and prosperity among people and protecting the environment for future generations as envisaged in Agenda 2030. If we're serious about 2030 Agenda and delivering a sustainable future for all, we have to be serious about ending corruption as corruption affects all five pillars of sustainable development – people, planet, prosperity, peace, and partnerships.

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Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime in his address to the Fifth Session in Panama City, 2013.

# Local Governments' and Development Planning Under Decentralization in Uganda: Moving Beyond the Rhetoric



Stephen Gunura Bwengye <sup>1</sup>

## Abstract

*In countries implementing decentralisation policy, the development planning role of local governments (LGs) is among the areas attracting scrutiny. Based on a study for a doctorate, this article examines the development planning role of LGs under decentralisation in Uganda. A qualitative methodological approach, a case study design, an interpretivist paradigm, and an exploratory conceptual model were employed by the study. For data collection, individual interviews, focus group discussion, analysis of documents and direct observation were used while analysis and interpretation of findings were done with the use of inductive approaches. The article explores the efforts made by LGs and their effectiveness in executing their development planning role. Evidence provided demonstrates that while in line with the decentralisation legal and policy framework, several efforts focusing on designing and executing mechanisms for implementing development plans, establishing planning structures, defining the structures' functions, and ensuring execution of the functions, have been made by LGs, they have largely not been effective. It is argued that government will need to take deliberate effort to address the critical issues of human resource gaps; limited financial resources, poor stakeholder participation and LGs' lack of substantial autonomy to ensure that the defined development planning role of LGs under decentralisation is effectively executed.*

**Keywords:** Planning, Implementation, Decentralisation, Local Governments and Policy

## Introduction

The development planning role of local governments (LGs) under decentralisation continues to attract the attention of governments in countries implementing decentralisation policy. Many national constitutions and other national laws which assign a crucial decentralisation implementation role to LGs make LGs planning authorities. As a result, LGs in both developed and developing countries have made numerous efforts to execute the development planning role which specifically involves (see Ikeanyibe

2009; Bonfiglioli 2005) identifying community development needs and problems, defining the community priorities and preferences; determining the strategic direction in terms of vision, mission and goals and objectives; and allocating resources.

In Uganda, like in many other countries, the decentralization legal and policy framework mandates LGs to undertake development planning as part of their decentralization implementation role. According to article 190 of the Constitution of the Republic of

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<sup>1</sup> The article is based on research conducted in Uganda by the author that led to the award of a Degree of Philosophy in Public Affairs by the University of Pretoria, 2015 Department of Political Science and Public Administration, Makerere University, Uganda.

Uganda (1995), the Local Government Act, Cap 243 (Section 35 (1)) and the decentralized planning policy guidelines (Government of Uganda (GoU) 2014), LGs play an important development planning role that involves creating planning structures, defining the planning functions of the structures, ensuring execution of the functions and designing effective plan implementation mechanisms. In practice, LGs execute this role within the parameters of the Comprehensive National Development Planning Framework (CNDPF) under the auspices of the National Planning Authority that is responsible for overall guidance, technical support and mentoring of LGs. The CNDPF outlines the principles and guidelines to be followed in development planning at both national and LG levels in the context of a shared National Vision. As Jhingan (2005) argues, to effectively undertake planning, there are a number of prerequisites that need to be in place among which include having planning structures with adequate autonomy and qualified experts in various relevant fields like economists, statisticians, and engineers; statistical data which requires a network of statistical bureaux; effective mobilization of resources; and efficient administration. In the Ugandan context, according to the decentralisation legal and policy framework, the LGs planning structures put in place are assumed to be equipped with the necessary financial and human resources to effectively perform the development planning task. The LGs are also assumed to have the capacity to design mechanisms for effective implementation of development plans. The existence and functions of the planning structures, the structures' execution of their functions and the designing and execution of the mechanisms for effective implementation of the development plans provide the analytical framework for this article

## **Establishment of LG Planning Structures**

In order to implement decentralised planning system, there is need to put in place planning structures at various levels of government of a country. To ensure that development is responsive to the needs of local people, effective planning structures at LG level are an important requirement (Baasit 2012; Ayeo and Amponsah 2003; Hoverman and Buchy 2000). In the Ugandan case, in order to effectively execute their development planning role, LGs are supposed to establish planning structures at both higher and lower local government levels. In all the two selected districts for the study, it was found that various planning structures have been created at the respective local government levels. The higher local government (HLG) structures have been created at the district level while the lower local government (LLG) structures have been created at municipality, municipal division, town council and sub county levels. Key among these structures considered for the purpose of this article are district planning authority and district planning Unit at HLG level; and municipal, sub county, municipal division and town councils at LLG level. The focus for the study on these structures was on their designated functions and the execution of the functions

## **LG Planning Structures and execution of their Functions**

### **The District Planning Authority**

As the planning authority, the district council under section 35 of the Local Government Act Cap 343, is mandated to ensure preparation and production of the district development plans. This includes ensuring that LLGs development

plans are incorporated into the district plan. The authority is responsible for discussion and approval of the district integrated plan. In the execution of its duties, the district council is assisted by standing committees which are established by the council. The key functions of the standing committees are to review and scrutinize draft sector goals, outcomes, and strategies and to ensure that LLG priorities are reflected in the district plan before approval. The study established that district councils have been turned into planning authorities and are involved in executing their functions as follows:

#### *Establishing District Council Standing Committees for Planning*

All the district councils of the two selected districts as planning authorities, do have established standing committees to help them execute their planning function. All the 6 (100%) members of the committees interviewed acknowledged that they have been actively involved in the planning process as they review and scrutinise every district development plan in an attempt to ensure that the plans address the most relevant needs and problems of the people before they are approved by the council.

To effectively execute their work, the committees are expected to hold regular meetings to discuss planning issues. Findings, however, indicate that the committees do not regularly meet as expected. In many cases, the committees hold less meetings than expected. This was mainly attributed to lack of financial resources to pay sitting allowances. The findings in this case support Conyers (1991) who argues that decentralised planning in LGs involves consultations and meetings that require considerable financial resources which are in most cases limited. The findings also

corroborate the works of Aleyomi (2013) and Kimario (2014) who report similar situations in Nigeria and Tanzania respectively

#### *Coordinating the Preparation and Production of District Development Plans*

The study found that in ensuring the preparation and production of district development plans, the district councils have been working with the planning structures both at HLG and LLG levels. According to all 8 (100%) HLG political office bearers and an overwhelming majority (17 of 19 [89%]) of HLG officials interviewed, the planning authority coordinates all the planning structures to ensure that the draft plans of the respective LLGs are incorporated into the draft district development plan. The study noted that a considerable challenge associated with the execution of this function was delayed submission of the draft plans which denies them ample time to scrutinise the plans. According to all 8 (100%) HLG political office bearers, the question of delayed submissions is a serious matter as it affects the time frame given by the national planning authority to have the district plans submitted to the authority. This revelation is consistent with the observation made by Mutabwire (2001) who reported that delayed submission of LLG priorities to HLGs was negatively impacting on bottom-up planning process in Uganda. Similar findings are reported by Aleyomi (2013) on decentralised planning in Nigeria

#### *Discussion and Approval of the District Integrated Development Plan.*

In discussing and approving the district development plans, the councils are expected to be guided by the fact that decentralised planning system is built on the principle of development planning being an integrative,

comprehensive, and participatory process intended to solve people's problems' (Frimpong & Amoako 2013; Botchie, 2000). This implies that people's development priorities, goals, needs and aspirations should be reflected in the plans approved by the planning authorities. The study revealed that while all district plans in the selected districts are discussed and approved by the district planning authorities, inclusion of development priorities of the community was found to be lacking. According to all 11(100%) LLG political office bearers and an overwhelming majority (16 of 18 [88%]) of LLG officials, many of the community development priorities submitted to the district councils are not included in the approved district plans. These findings validate those of Baasit (2012) which showed that in Ghana LGs, many of the community priorities submitted to the district assemblies by sub district councils are not included in the district plans

### **The District Planning Unit (DPU)**

The District Planning Unit which is created under section 38 of Local Governments Act, Cap 234 provides technical expertise in planning both at the district level and the LLG level. It coordinates the preparation and production of the district development plan. The unit manages the district information system and is supposed to ensure the collection and analysis of the required planning data. The Unit is also required to coordinate other stakeholders to ensure their participation in the planning process. It is the duty of the Planning Unit to liaise with the National Planning Authority on all technical matters regarding LG development planning. The Unit further takes the lead in the organising and coordinating the planning forum and overall consultative process for the district LGDP

formulation

### ***Coordinating the Preparation and Production of the District Development Plan.***

In their coordination efforts for preparation and production of district development plans, the district planning units of the two selected districts have according to the interviews held with LG officials and political office bearers, been undertaking some planning awareness activities among civil servants; political; and civic leaders. All the 37 (100%) LG Officials and all 18 (100%) political office bearers interviewed indicated that planning awareness creation activities undertaken by district planning units centre on areas such as the need for an integrated district development plan, plan formats, the significance of participatory planning and the relationship between planning and development.

The study findings however, further revealed that, like other functions of the unit, coordinating the preparation and production of the district development plans has been affected by limited resources especially human and financial resources. While the staffing structures for the two district planning units in the selected districts for example provided for positions of an economist, population officer, statistician, and planner, the positions of the statistician and economist were not filled. Interviews conducted with district political office bearers and officials revealed that central government was reluctant to authorize filling the vacancies because of financial implications. These finding confirm the works of Mutabwire (2001) as well as Jagero and Nyauchi (2014) who noted that inadequate staffing levels and limited financial resources have greatly negatively impacted on decentralised planning in Uganda and Zimbabwe respectively

### *Collection and Analysis of Planning Data*

Governments, like private organisations/ individuals or non-governmental organisations, have to decide on important issues on a regular basis; such decisions making requires information and needs to be transparent and evidence based in order to be accepted by the wider community. No decision can be considered evidenced based without figures to back it up. These figures must be collected, analyzed and presented using reliable approaches (Shangodoyin & Lasisi 2011). In the case of LGs, in order to make evidence-based planning decisions, specific planning structures such as the district planning units, have been assigned the duty of collecting and analysing data required for planning purposes. Interviews and Focus Group Discussions (FGDs) revealed that the district planning units have made some efforts to collect data for planning. All the 37 (100%) LG Officials and all 18 (100%) political office bearers interviewed observed that the district planning units do on some occasions collect data on several socio-economic aspects of LGs such as household income, poverty levels, family sizes, population age groups, agriculture, and literacy levels. The involvement of the planning units in data collection is consistent with the works of Baasit (2012) and Aleyomi (2013) who report similar findings in Ghana and Nigeria respectively

While the discussions above illustrate some efforts made by the district planning units in collecting the data necessary for planning, members of the FGDs raised the issue of limited resources as being a bottleneck to data collection and analysis. It was revealed that the data collection was not effectively done as both human and financial resources were a challenge. The district units for example, did not have the necessary personnel to collect

and analyse required data. The findings in this case are consistent with observations by Mohapatra Bishnu Prasad (2013) who with reference to Indian experience, noted that in Odisha region, financial and human resource incapacity of the LGs have hampered development planning efforts.

### *Coordinating Stakeholders' Participation in the Development Planning Process*

Referring to the experience of LG planning in Ghana, Baasit (2012) and Botchie (2000), report that one of the key elements with regard to decentralised development planning is the participation of the local communities in the planning process. The district planning and coordination units are supposed to ensure that the planning process commences with the participation of the local communities in the identification of problems and determination of goals and objectives. In the case of Uganda, in coordinating and enlisting the participation of stakeholders in the planing process, the district planing units are expected to organise planning forums right from the village/cell councils to the parish/ward councils, sub county/town councils, municipal councils up to the district councils. The study findings revealed that district planning units have made some efforts to elicit the participation of stakeholders in the planning process. According to all the 37 (100%) LG Officials and all 18 (100%) political office bearers interviewed, some mobilisation has been done through organising planning and budgeting forums right from the village level up to the district level. The findings however, revealed that participation is negatively affected by two major factors which include community's lack of sufficient knowledge and skills LG to actively participate and influence decisions; and low turn up attributed to apathy, lack of financial

incentives and poor information flow. These findings corroborate the observation made by Kolkman et al (2005) and Harriet et al. (2013) who report that differences in levels of knowledge and poor information flow between local citizens and government officials lead to mistrust and marginalisation which affects local community participation.

#### ***Liaising with the National Planning Authority***

In undertaking decentralised planning, LGs are required to liaise with the national planning authority on national priorities and technical matters regarding the LG development planning. The idea of LGs liaising with the national planning agencies (see Frimpong & Amoako 2013), is a common practice in many countries implementing decentralised planning. The essence of liaising with the national planning body as Inkoom (2009) argues, is to ensure that development planning priorities are in line with national development agenda for optimal resource mobilization, allocation, and utilisation. In the case of Uganda, the study found that LGs do consult the national planning authority on national priorities and technical planning matters. All the 37 (100%) LG Officials and all 18 (100%) political office bearers interviewed, acknowledged that LGs have to get the national priorities from the national planning authority before undertaking their development planning activities. What has been associated with this practice however, according to the interviewees, is the tendency for the national planning authority to ignore the development priorities for LGs. These findings validate earlier conclusion made by Olken & Singhal (2011) and Adedokun (2012) who pointed out that central governments under decentralisation have retained too much power and control over decision making and

can ignore decisions by LGs if they are not in line with the priorities of the state.

#### ***Providing Training and Technical Expertise in Planning***

The challenge of human resource gaps in LGs associated with lack of technical competence to effectively execute decentralised responsibilities including development planning is a recognised phenomenon. It is for this reason that district planning units are required to provide training and technical expertise to LG personnel to enhance their capacity for planning. All the LG political office bearers and all the LG officials interviewed revealed that district planning units do organise some training programmes-including hands on training sessions and provide written guidelines on areas such as planning tools, problem analysis, setting goals and objectives and how to undertake situational analysis. The study however, established that while such training has been provided, it has largely had limited effect as it has not been comprehensive mainly due to inadequate human and financial resources. Aleyomi (2013) reported similar findings in Nigeria where shortage of trained personnel associated with inadequate training due to limited financial capacities render LG ineffective in executing development planning among others.

#### **Municipal, Sub County, Municipal Division and Town Councils**

By law, municipal, sub-county, municipal division and town councils are autonomous body corporate entities that constitute LLGs and have legal obligations as planning entities to produce their own development plans and budgets which are then integrated into the developments plan for the HLG. The main planning functions of the councils

include among others, coordinating the formulation and production of the respective LG development plan; training parish/ward and community level planning facilitators; and providing data and statistics for use at national and district level in the planning process. The study examined the extent to which these functions have been executed

### *Coordinating the Formulation and Production of LLG Development Plans*

In executing their planning function, the LLG councils are tasked to coordinate the formulation and production of all LLG Development Plans. Interviews conducted with LLG officials and political office bearers showed that the councils undertake several activities in executing their plan formulation, coordination and production function. All the 11 (100%) LLG political office bearers and all the 18 (100%) LLG officials interviewed noted that the LLG councils obtain planning call information from the HLGs and circulate the information to all key actors in the LLG planning process. The councils according to interviewees do form planning task teams to guide the plan formulation process and usually carry out analysis of key development issues that cover LG opportunities, potentials, and challenges during the plan formulation process.

While the LLG councils undertake such planning efforts, there are a number of challenges revealed by the interviewees which negatively impact on the LGs' performance. One such challenge is limited understanding of planning concepts among council members. This was well illustrated by one local government official who observed that '... many of our councillors lack the competence to comprehend planning concepts...'. This revelation is in line with earlier observation

made by Aleyomi (2013), Mutabwire (2001) and Tukahebwa and Kabonesa (2000) that local leaders lack the competence to understand issues of planning and financial management which hinder effective decentralised planning in LLGs.

### *Providing Training to Parish/Ward and Village Councils on the Planning Processes*

The significance of training to enhance the capacity of LG to effectively execute their assigned decentralised responsibilities especially in developing countries is a matter that has widely been recognised. The availability of technical and generic skills which can be acquired through training, is a prerequisite for LGs' successful execution of their assigned responsibilities (Martinez-Vazquez and Smoke 2011; Koma 2010). This creates the basis for the LG councils' responsibility to provide training to parish/ward and village councils to equip them with the capacity to execute their planning tasks. Evidence from the field reveals that some training programmes on planning, budgeting and financial management issues have been undertaken by the LG councils. All the 18 (100%) LLG officials and all the 11 (100%) LLG political office bearers interviewed revealed that all the selected LLG councils have provided some training to parish/ward and community level planning facilitators

While such training efforts have been made, the ability of the respective trainees to understand planning concepts has been questioned. This has mainly been attributed to low or lack of academic qualification. The study noted that at parish and local council 1 (village level), none of the LG political office bearers and officials had a university qualification. Only a few had ordinary level (senior four) certificate while the rest were either secondary school or

primary school dropouts. This implies that the training has not been effective in enhancing the capacity of the trainees. The revelation here attests to the works of Koma (2010) who noted that despite a plethora of capacity building measures instituted to assist municipalities in South Africa to effectively execute their responsibilities, the municipalities have not been able to acquire and put into practice the expected knowledge

### *Providing Data and Statistics for use at National and District Level in the Planning Process*

Statistics is an indispensable tool for planning, growth, and national development. A government without viable information generation infrastructure for dissemination and usage is severely constrained in doing proper development planning. It necessary for governments at all levels to build a very viable information system to provide adequate statistical information for planning and implementing socio-economic policy programmes (see Shangodoyin & Lasisi 2011; United Nations 2010; Ward 2004). The LG councils' responsibility of providing statistics for use at national and district level in the planning process is in line with this necessity. In their efforts to execute this function, the LG councils do undertake some data collection activities. According to all the LLG officials and all LLG political office bearers interviewed, councils at the LLG level do in a few cases collected data using manly surveys and documentary analysis on some sectors of the economy and people's wellbeing.

While such data collection efforts are acknowledged, the interviewees also revealed that the data collection has neither been comprehensive nor as regular as expected mainly due the challenges of human and

financial resources (which appeared to be a common denominator in all cases of LG planning organs 'execution of their responsibilities). Regarding the challenge of human resource, the study noted that all the councils at the LLG level save for municipal council. did not have designated planning units. This means that there are no technical offices at this level to guide the planning process. This lends weight to earlier finding by Mutabwire (2001) who reported that sub-counties (LLGs) did not have technical officers who are specifically trained in handling planning matters

### **Local Governments' Design and Execution of Plan Implementation Mechanisms**

Implementation is a cycle of steps taken to deliver planned activities, outputs, results, and impact. For effective results, implementation requires establishment of concrete implementation mechanisms. This involves mainly creating implementation teams; identifying stakeholders and defining their roles, designing financing strategies; putting up work plans for delivering activities and out puts; and budget allocation (see International Union for Conservation of Nature (IUCN) 2014; European Commission (EC). 2009; Brynard and De Coning 2006). For the case of Uganda, putting in place implementation mechanisms for LGDPs is an important development planning task that LGs are expected to undertake. This task according to the government of Uganda (GoU 2014), mainly includes identifying the main stakeholders and their roles in the LGDP implementing process; designing action plans and defining and executing a resource mobilisation and financing strategy. The study examined efforts that have been made by LGs to put in place

the implementation mechanisms. The findings below demonstrate the extent to which LGs have been effective in executing this function.

### **Identifying the Key Stakeholders and Their Roles in Implementing and Coordinating LGDPs**

In establishing plan implementation mechanisms, identification of stakeholders and specifying their role are important for successful implementation. This involves addressing a number of issues among which include stating and communicating clearly to the stakeholders the potential impact of implementing the plans, the kind of information that needs to be shared, the specific activities they are supposed to undertake, and the challenges and facilitators of their role (Cullen and Adams 2012; Maishanu,2009; Blumenthal & Stoddard 1999). With regard to the situation in LGs, it was found that all LGDPs in the selected LGs provide partnership arrangements with key stakeholders for effective implementation of the plans. The plans clearly state that implementation requires multi-sectoral response involving government organs, citizens, private sector organisations and CSOs including faith-based organisations.

The mechanisms indicate that it is the role of LG councils to encourage and promote the participation of citizens, private sector, and CSOs. The implementation mechanisms also provide for the roles of development partners, central government, and the various LG political and civil service organs. At the community level, the roles of village councils, parish councils, private sector organisations, non-governmental organisations (NGOs) and Community based organisations (CBOs) are defined. The promotion of stakeholder participation includes extending education

to the stake stakeholders on their key role to ensure effective implementation of LGDPs.

While the LGDPs define the key stakeholders, their role and the expected tasks, evidence from the field revealed that little has been achieved. In terms of the kind of information that needs to be shared and communicating stakeholder's role including challenges, it was found that key stakeholders such CSOs, and private sector organisations were not aware of the specific role they are required to play in the implementation of the LGDPs. All the 7 (100%) heads of CSOs interviewed revealed that although they are required by LGs to submit their profiles and planned programmes during the development of LGPs, they do not even receive copies of the development plans. An overwhelming majority (8 of 9 [80%]) of the directors for private companies interviewed admitted that other than frequenting LG offices lobbying for tenders, they did not understand what their role in LGDP was.

The findings above imply that a number of key stakeholders have not been able to effectively play their role in the implementation of LGDP. Their role has not been communicated to them and they have not been sensitized on how they should contribute to the LGDP implementation process. These findings authenticate the conclusion made by Maishanu (2009) and Blumenthal & Stoddard (1999) that without effective education and communication of stakeholders' role, the stakeholders can neither perform their roles nor effectively interact with each other

It was also established that at the LLG level, the HLGs have not made tangible efforts to communicate and sensitise the parish councils, village councils and the citizens about their role in LGDP implementation. While according to the LLG political office bearers interviewed, the

official explanation given by the HLGs is lack of resources, the LLG political officials strongly believe that one of the major reasons is the HLGs' tendency to underrate the capacity and the input of the citizens and the lower councils. All the 11 (100%) LLG political office bearers interviewed, revealed that the HLGs think that the lower councils and the citizens do not have the capacity to comprehend planning issues. The findings in this case uphold the works of Kumar and Corbridge (2002) who stated that the perception that local people lack sufficient skills and knowledge to effectively take control of projects is a key challenge affecting local people's participation in planning processes.

### **Establishing an Elaborate Resource Mobilization and Financing Strategy**

In order to fulfil their mandate in a fiscally responsible manner, LGs in developing countries must have significant sources of own tax revenues as well as non-tax revenues. While supplementary funding from central government and development partners is necessary, the adequacy of own revenues is the key to LGs' improved ability to deliver necessary goods and services (Martinez-Vazquez 2015; Martinez-Vazquez & Smoke 2011). Jhingan (2005) emphasises effective mobilisation of local resources which involves laying down effective policies and revenue mobilisation instruments. LGs in establishing resource mobilisation and financing strategy are therefore supposed to indicate the sources of revenue and how the revenue will be mobilised to finance the LGDP. The focus of the study in this respect was to assess the efforts made by LGs in developing and executing mobilisation and financing strategies as part of the LGDP implementation mechanisms

It was found that LGs have documented

framework that articulate how the LGDPs are to be financed including resource mobilization framework. Summaries of the sources where the LGs get their development funds including stakeholder's contribution through CSOs are provided. The sources of revenue are listed as central government transfers, international development partners, local revenue, and budget support from local development partners and CSOs. It was established the framework provides revenue mobilization strategies necessary to increase on revenue base. It also provides for the facilitation of revenue mobilization teams to conduct weekly meetings to share the challenges and progress in executing their tasks; and monthly budget desk review meetings as a mechanism to allocate revenue expenditures. Other efforts supposed to be made under the strategy include mobilising CSOs to contribute more on community development; compliance with donor and NGO conditions for continuous funding.

While LGs are expected to mobilise revenue from local sources and donors, the research established that LGs are heavily dependent on financial resources from central government. The contribution of donor funds and locally generated revenues is almost negligible. For example, in one of the selected districts (Ntungamo), records indicated (see Natamba, et.al., 2011) that in the financial years 2007/8 and 2009/10, central government contributed 98% of all the funds, with local revenue and donors support both contributing 2%.

Although according to all LG political office bearers and all LG officials interviewed, there have been initiatives by LGs to raise local revenue, it was noted that over a period of time there has been no increase in local revenue which would increase the planning

and budgeting autonomy of LGs. In fact, it was established that the local revenue in absolute figures has been dwindling for example in the case of Ntungamo district, the local revenue declined from 352 million (UGS) in 2007/8 to 249 million (UGS) in 2009/10. This in effect as earlier claimed (see Natamba, et.al. 2011; Joint Annual Review of Decentralisation (JARD) 2010) implies that, the capacity of the district LG to address local priorities is greatly weakened since most of the central government transfers are conditional grants with limited or no discretion for adjustment to suit the local priorities. These findings substantiate the claims made by the Zimbabwe Institute (2005) as well as Adedokun (2012) that LGs are unable to finance their priorities due to deficiency of local revenue base.

### **Establishing LG Actions Plans/Annual Work Plans**

Action planning is simply a way to clearly establish what must be done, the date by which it will be done, and who will be responsible for doing the work. Action plans need to be executable within the existing limitations of time, budgets, and political & administrative capacity. Good action planning addresses a number of issues among which include describing the planned programmes, the expected results, the targeted beneficiaries, the activities to be undertaken, the budget, and the implementing organs (Maishanu 2009; DiNapoli 2003; Bryson & Farnum 1996). In the LGs selected for the study, it was found that in all action plans which are made in form of annualized work plans (AWPs), there are summaries of the projects to be implemented in each year. The plans provide detailed information, the title of project, the implementing agency, project objectives, targeted beneficiaries, project background,

project technical description and justification. The LG AWPs also contain the LGDP development outputs per sector; the activities to be carried out towards achievement of outputs; the time frame for the planned activities; those responsible for carrying out the activities; and the financial resources projected for each activity

The study however, further established that in many cases, the activities contained in the work plans are not carried out. While some of them are postponed to the next annual work plan, some still end up not being done and are further pushed to the subsequent years. In some cases, certain activities are abandoned completely. Relatedly, some outputs are not realised leading to targeted beneficiaries missing out on the expected benefits. Informants attributed this situation mainly to problems associated with funding. All the 37 (100%) LG officials and all 18 (100%) political office bearers interviewed pointed out that while in some cases human resource gaps provide a challenge, the biggest problem was the heavy reliance on central governments funding. It was revealed that LGs cannot undertake any activities that require financing before funds are released from central government. The findings here support many commentators (Martinez-Vazquez 2015; Aleyomi 2013; Adedokun 2012; Bird 2011; Ali Abdel Gadir 2011) who have observed that financial constraints associated with poor local revenue generation and overreliance on central government funding greatly limit the capacity of LGs to effectively implement decentralised development and service delivery programmes

### **Conclusion**

The focus of this article was to examine the planning role of LGs under decentralisation in Uganda. Based on empirical evidence, it is

shown that although LGs have made numerous efforts to execute their role that centre on creating planning structures, defining the functions the structures, ensuring the execution of the functions, and designing and executing mechanisms for implementing the development plans, such efforts have largely been ineffective. The question of human resource gaps associated with inadequate staffing levels, lack of competences in critical areas such as planning and financial management; limited financial resources mainly associated with inadequate local revenue mobilisation and over dependency on central governments financing; LGs' lack of substantial autonomy on matters of planning; and poor stakeholder participation are the major challenges that government will need to address if LGs are to move beyond the rhetoric to effectively execute their development planning role. In

order to address such challenges, it requires demonstrated total political willingness and commitment to empower LGs to effectively execute decentralised planning and other responsibilities through delegation of substantial autonomy for planning, generation of local revenue and its expenditure; expanded local revenue base including a share of the current revenue sources monopolized by central government such as taxes from local based industries; human resource development that includes deployment of trained core development planning professionals, strengthening capacity building for elected representatives, LGs' civil servants and civil society groups or citizens involved in decentralised planning process; and positive disposition of LG bureaucrats to acknowledge and promote citizen participation in the planning process

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# The Causes and Consequences of the Growth of Informal Settlements in Epworth local Board Area

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## Abstract

*The increase in demand for housing not matching housing provision has been a major cause for the growth of informal settlements in the peripheries of urban cities. Epworth, the only settlement to be recognised by government after independence as an informal settlement experienced a drastic increase of the population. In 2005, the government embarked on a clean-up program of unplanned structures to bring about order in urban areas by demolishing illegal structures. This left the poor homeless and migrated into informal settlements in and around Harare among them parts of Epworth. Poverty was identified to be the major driver for the growth of informal settlement in Epworth. High cost of acquiring land in urban areas have left home seekers resorting to settle in informal settlements. High levels of poverty in these informal settlements have led to the absence of opportunities accompanied by high levels of malnourishment, low literacy levels, food insecurity, and social instability. Purported community housing initiatives have been politicised in Epworth and leading to the growth of informal settlement. The statutes that govern urban planning were also analysed. The research looked into possible solutions to the challenges with in-situ upgrading being the most preferred.*

**Keywords:** Informal settlement, Housing Delivery, Unplanned Structures, Poverty, Ineffective Housing Policies, Land Invasions

## Introduction

In recent years Epworth has experienced the growth of informal settlements and it is the only settlements to be recognised after independence. Though some parts of the settlement were regularised in the early 90s, the continued influx of settlers, leading to the expansion of the remained unregularized informal settlement with some informal settlers invading land reserved for future development. This paper therefore seeks to establish the causes and the consequences of this continued growth of informal settlements in Epworth. Part of causes of the

continued growth is attributed to rural-urban migration, urbanisation, ineffective housing policies leading to a number of challenges to be discussed. Solutions are also going to be discussed from the research findings. A resolution to formalise the informal settlement by the Epworth Local Board was made in 2013 to address the problem of the continued growth of unregulated settlement.

## Background

UN-Habitat (2006) estimates that slum dwellers worldwide have increased from 715 million in 1991 to 913 million in 2001

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and 998 million in 2005 with the projection being that by 2020, the world will reach 1.4 billion slum dwellers. According to Lloyd and Amis (1990), the problem of housing delivery in developing countries worldwide as far as housing for the urban poor has continued to decrease in supply creating a huge demand. There are four mega slums identified across the world that accommodate population sizes equal to medium-size towns and these are Dharavi in Mumbai India, Joe Slovo in Cape Town South Africa, Kibera in Nairobi Kenya, and Old Fadama in Ghana derisively known as Sodom and Gomorrah, UN-Habitat (2006). The major causes of the growth of these settlements are attributed to massive rural to urban migration, natural population growth, and poverty leading to the growth of the urban population against the inadequate available housing provision. Epworth is one of the towns that grew informally on an unplanned incremental with a population of self-employed individuals with an estimated population of 300 000 people (ZimStats, 2012). It is located 20 kilometers East of the capital city of Zimbabwe, Harare being the only informal settlement to be recognized after independence. More than 70% of the residents don't have access to basic services and more importantly to formal employment. The area is divided into two that is the formal and informal settlement. The formal area only accounts for 30% of the town's population with well-planned council-approved houses, having the basic infrastructure of tapped water and sewer infrastructure. This was done with the support of non-governmental organizations in the early 2000s. The informal settlement, on the other hand, is overcrowded as a result of illegal land invasions with unplanned structures built without proper planning and approval from relevant authorities. It is against this background that the local authority is

facing challenges in administering the area. Regularisation, planning, and provision of services to the area is hampered by resistance as the settlers do not recognize Epworth Local Board as the responsible authority for, they claim to have been on the land before its establishment. With the above background, this paper, therefore, seeks to establish the cause of the continued growth of the settlement in Epworth.

## **Problem Statement**

The increasing population growth and urbanization not matching with housing delivery by urban local authorities have been a contemporary issue causing the increase of urban informal settlements. The problem under investigation is that Epworth though it was a recognized informal settlement at independence, Epworth Local Board through partnerships with Non-Governmental organizations regularised and formalized the settlement but not as a whole leaving other areas not formalized, (Epworth Profile, 2015). However, in recent years there has been a continuous growth of the remained unregularized parts of the settlement. This paper seeks to establish what has caused the continued growth of informal settlements and the consequences of using Epworth as a case study.

## **Research Objectives**

- To establish the causes of the continued growth of informal settlements in Epworth
- To establish the problem and consequences associated with the continued growth of informal settlements.
- To come up with possible strategies that can be implemented to address the problems

caused by the continued growth of informal settlements.

## Literature Review

### Informal Settlements

There is no one generally agreed definition of informal settlements. Definitions vary widely from country to country. There are also varied terminologies purportedly describing the same phenomenon. UN-Habitat (2003) notes that these include squatter settlements, slums, low-income settlements, semi-permanent settlements, shanty towns, spontaneous settlements, unauthorized settlements, unplanned settlements, and uncontrolled settlements. In most instances, the terminology used is a reflection of attitudes towards these settlements, (Srinivas, 2006).

For the purpose of this paper, Kibwana, (2000) defines informal settlements as settlements whereby persons or squatters, asserts land rights or occupy for exploitation of land which is not registered in their name or government land, or land legally owned by other individuals. An informal settlement is often not recognized and addressed by the public authorities as an integral or equal part of the city. It is an area which combines to a various extent the following characteristics: insecure residential status; inadequate access to safe water; inadequate access to sanitation and other infrastructure; poor structural quality of housing; and overcrowding, (UN-Habitat, 2006). It is evident that the definition of informal settlements emanates from the quality and characteristics of the built environment in these settlements. The responsibility of ensuring that the built environment is of acceptable quality is vested upon the government and the local authorities. They define and oversee the implementation of what is deemed to be

minimum building standards and basic services provision, (UN-Habitat, 2006). At the global level the Sustainable Development Goals make reference to adequate housing which in essence refers to certain minimal standards. It can also be noted that informal settlements have to do with legality and slums is about the condition.

Countries such as South Africa, despite efforts to provide more than 2.5 million housing units since 1994, the housing backlog has remained at between 10-15 percent of the urban population across different regions (Bennett and Fieuw, 2012). Habitat for Humanity International (2012) noted that in South Africa it is estimated that 2.1 million households live under very precarious conditions that is either in informal settlements or backyard of formal settlements without access to basic housing services. This is clearly unsustainable and there are efforts towards crafting and implementation of policies both by the central government, regional governments and local authorities to address the situation.

### Causes of the continued growth of informal settlements

Rural to Urban Migration – immigration has been identified as one of the key drivers of informal settlement growth in Zimbabwe, (Chirisa and Dumba, 2012). In most developing countries, modernization and urban growth is a process that began with colonization. Moyo, (2014) notes that most African countries experienced mass rural to urban migration. Wekwete (1989) notes that the attainment of independence brought in new policies repelling the oppressive laws which restricted free movement. This accelerated the growth of informal settlements for there is an increase in demand for housing not matching with supply. As a result, urban

areas in Zimbabwe are experiencing high population growth, densities, congestion, deteriorating environmental quality, and the increasing cost of urban services. UN-Habitat, (2003) classified urbanization as a concept that includes rural to urban migration, natural population growth, and the reclassification of rural areas into urban areas. Zondo and Rayston (2015) argued that the continued growth of the urban population coupled with the continued immigration into urban centres can be noted as one of the causes of the growth of informal settlements. Those who could not afford housing in the formal market resorted to accessing housing in the informal settlement. Therefore, it can be said that urbanization is one of the causes of the growth of the informal settlement.

**Ineffective Housing Policies** – Ineffective housing policies – mitigatory housing policy of Garikai/Hlalani in 2005 failed to create a long-term solution to the delivery of low-cost housing. The delivery of subsidized housing did not culminate in poverty alleviation or solve the housing problem. McLean (2006) notes that beneficiaries of subsidized housing delivery fail to meet the policy requirements and resort back to the informal settlements. Both the central government and the local government policies to improve housing delivery are ineffective as seen by the continued growth of informal settlements. Moyo, (2014) noted that trends in the housing policy since 1980 have marginalized low-income earner's housing needs. Housing delivery has fallen far behind the demand for housing. Garikai/Hlalani Khuhle housing policy targeted victims of Operation Murambatsvina, a clean-up campaign of demolishing unplanned structures benefited a few. Tibaijuka (2005), is of the view that Operation Murambatsvina was designed to eradicate illegal housing which directly

affected many poor urban residents. Urban dwellers in the unplanned structures in urban areas were left stranded after the demolitions in 2005 by Operation Murambatsvina resorting to settling in informal settlements surrounding urban areas. Epworth Local Board entered into partnership agreements with private land developers to service land to meet basic standards for human settlements. According to Epworth Profile (2015), this was going to reduce the housing backlog. However, the costs of providing such services are beyond the reach of many even though there are payment plans, leaving the majority of urban dwellers with no decent accommodation thereby increasing the informal settlers' population in Epworth.

**Poverty** - Poverty is one of the primary causes of informal settlements in most nations. Poverty is the lack of income, lack of basic infrastructure and social services (Sheuya, 2004). World Bank, (2010) defines poverty as deprivation or human needs that are not met. From the definitions provided above lack of adequate income or assets or a combination of both may lead to a situation where the poor decide to live in overcrowded and poor-quality housing that lack basic services and infrastructure. As a result, the poor by not being able to access basic infrastructure such as housing, end up settling in and on undesignated places. Msindo and Gutsa, (2013), notes that the city of Harare come up with different initiatives to provide housing to low income earners but the ones being made available in most cases are beyond the reach of the poor.

Informal settlement settlers are faced with their lack of resources and trying to manage the harsh living conditions experienced in these settlements. Msindo and Gutsa, (2013) estimate that approximately 70% of settlers in Harare South migrated from other parts of

Harare as a result of failure to afford decent housing. Msindo and Gutsa (2014) highlight that a number of the residents of the shanty settlements came from surrounding areas running away from the high rentals and utility bills (electricity and water). As a result, this forced some to go into Harare South's shanty settlements where accommodation and land for housing are relatively affordable. Once in Harare South, the migrants see it as an opportunity to become landlords as stands are "easy to access" thereby reaching Maslow's hierarchy of needs stage of self-actualization and also a sense of belongingness, (Jusan and Poor, 2012).

**Politics** - Politics has become distributive and clientelism in the housing sector of urban low-income groups in the past years, (Mutsindirwa and Chirisa, 2015). The Second Chimurenga saw the immigration of war refugees fleeing the war in the countryside and that is when informal settlements started to develop as a refugee camp which turned into informal settlements, (Msindo and Gutsa, 2013). Also, urban land management in most urban areas has been hijacked by political parties and some corrupt government and sub-national government officials who have created an informal land administration system parallel to the dysfunctional formal system.

Politics is defined as who gets what he wants, when and how, (Laswell, 1936). Towards the 2008 and 2013 harmonized elections, individuals who were campaigning influenced the invasion of open council land in Harare South, distributing land illegally all in the name of empowering the black people and low-income earners. Chirisa and Dumba (2012) note that this is how Southly Park in Harare South developed. Mutsindirwa and Chirisa, (2012) note that the urban poor has

been mired in patronage politics. These illegal allocations turned to be informal settlements. The haphazard parcelling out of the land in Harare was a clear campaign strategy however this has caused conflation in the role of state and local authority. Chirisa and Dumba, (2012) note that the haphazard parcelling out of land is a clear campaign strategy but however it has caused conflation of state and city lands.

**Access to Financing** - According to Ward (2001), lack of access to credit "forces families to make do with inadequate resources, to live and work in multi-functional spaces combining makeshift shacks, partly finished rooms, and temporary partitions for walls." Although the failure of many poor households to access mortgages and loans is often viewed as a symptom of the greater underlying problems of poverty, low wages, and unemployment, scarcity of housing finance may also be seen as distinct issues. Data from the Housing Indicators Program World Bank (1993) indicate that access to formal financing, considered apart from average household income levels, is an important determinant of housing conditions (Jones and Datta, 1999). One of the reasons that families with inadequate shelter are unable to access loans is because they work in the informal sector, and do not have any form of collateral required by financial institutions. Research shows that financing institutions favour households with above-average incomes and, employed in the formal sector.

**Regulatory Framework** - Regulatory framework concerning housing need to be reviewed to enable stakeholders to partake in low-cost housing and informal settlements upgrades. The current laws in Zimbabwe have remained rigid not responding to the

ever changing environment, Chirisa, and Munzwa (2008). Current laws stifle the growth of the housing sector resulting in the increased demand for housing as evidenced by the local authorities housing waiting lists and the growth of informal and unplanned settlements. Muderere (2010) argued that ZIRUP is on record for criticizing the planning legislation recommending a review of planning laws and other legal instruments, noting the current regime hampers growth in housing, where the backlog was estimated to be five hundred thousand in Harare alone.

## Methodology

Mixed method approach was used in this research. Combining both quantitative and qualitative was key in outdoing weakness of the other approach. With the research problem being to establish the causes and challenges of the continued growth of informal settlements in Epworth it was prudent make use of both in constructing descriptions and explanations of human phenomena. The target population for this study was Epworth Local Board officials, informal settlers, councillor, the development committee members of the areas, officials in the Department of Physical Planning under the Ministry of Local Government, Public Work and National Housing, and Dialogue for Shelter and Zimbabwe Homeless People Federation. The sample size comprised of 30 participants from the populace. The sample was composed of 20 settlers including the local leadership, 5 ELB management and 5 representatives of the NGO working in the settlements. The researchers used interviews, questionnaire and observations to collect data. The questionnaire was personally administered. Interviews were conducted with the settlers in the informal settlement which allowed the researchers to go deeper in extracting information through

continued and further probing the respondents. In order to get in depth, accurate information, and have control and good response rate, the researchers mainly used Shona and English as it is the widely spoken language.

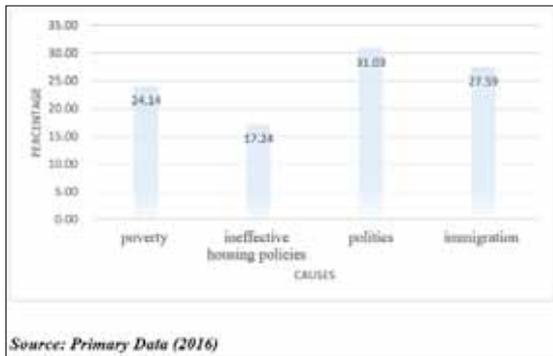
**Limitations** - Not all the information was availed to the researchers due to the polarity of the areas of study as informal settlements have political connotations and suspicions leading to the use of other research methods. Also, the Privacy and Confidentiality act made it difficult to access confidential information with the local authority leading to reliance on secondary data. The research was also conducted towards the Harmonised elections thereby facing challenges to access permission to carry out the data collection. Engagement with the political and community leaders was done to explain the purpose of the study.

**Assumption** - the paper assumes that the causes of informal settlements growth include rural to urban migration as people look for better opportunities and greener pastures in urban areas. Also, urbanization as there is an increase in the proportion of people living in towns and cities and poverty, as the poor are failing to meet basic living needs affecting their abilities to access decent housing. With that, the paper seeks to establish the causes of the continued growth of the informal settlements and possible strategies to address them in Epworth.

## Major Findings

The causes and consequences of the continued growth of informal settlements.

Reasons Why Settling in the Informal Settlements from the Interviews.



Responses from the interviewees were classified into poverty, ineffective housing policies, immigration and politics. Of the 29 interviews, 24% responded that the reason why they settled in the informal settlements was poverty, with 17% the reason being because of ineffective housing policies and politics contributing 31%. Lastly immigration contributing 28%. Therefore it can be noted that the major cause of the growth of informal settlement is politics. The interviewees revealed that most settlers were allocated the “stands” by a political party and it was a campaigning strategy toward 2008 and 2013 elections. This concurs with Chirisa et al (2014). The invasions were done illegally without the council approval. Up to now the council has not initiated a development plan to improve the living conditions in these settlements.

**Immigration** – from the interviews, immigration contributed around 28% as shown in Fig 1. People have migrated into Epworth in search of affordable housing as compared to Harare and other areas around, Sigauke N (2012). From the interviews according to the table below, both urban origin (47%) and immigrants from other settlements (37%) migrated into Epworth because of the effects of Operation Murambatsvina Clean Up Campaign in 2005.

Origin		%
Rural origin	3	16
Urban origin	9	47
Origin from other informal settlements	7	37

Source: Primary Data (2016)

Origin from other informal settlement (37%) emigrated from Porta Farm and Hatcliffe Extension where squatter settlements were destroyed by government and the reasons they gave was that from history it seemed Epworth was the only informal settlement which the government tolerated. According to Payne (1994), high immigration rate into urban areas has resulted in urban housing mismatching with the demand for housing. Immigration into urban areas is associated with housing challenges, competition for jobs on the market between the locals and foreigners. The result therefore has been housing crisis with consequences that range from deplorable housing conditions lacking the basic services, socio-economic ills to conflict and disharmony of the community.

**Ineffective Housing Policies** - Housing provision policies like Garikai / Hlalani Khuhle were partly implemented in Epworth. From the respondent’s understanding, those who benefited were not people from their informal settlements. One of the respondents noted that the process was mired by corruption in the local authority and the responsible ministry for housing officials. The failure of the Garikai / Hlalani Khuhle housing policy was the unavailability of budgetary support from the central government for it was unplanned for, UN Report (2005). It can be concluded from responses, that residential stands in properly serviced land were beyond their reach. The research established that the average income

was US\$104.47 and this is below the poverty datum line US\$522 according to Central Statistical Office (2009). The table below shows the prices of serviced council stands which are beyond the settlers reach and not affordable when this research was conducted:

*Price List for Council Serviced Residential Stands*

	200sqm	300sqm	400sqm	600sqm
Adelaide	US\$8600	US\$12000	US\$16000	US\$18000
Park				

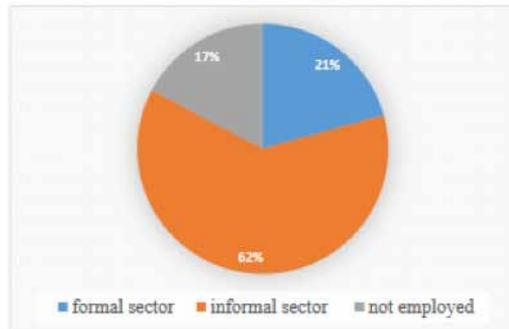
Source: ELB Housing Department (2015)

The need for shelter forced home seekers to settle in the informal settlement driven by the desire to own a home, Tibaijuka (2005). As highlighted in the table, the formal serviced land for housing is beyond the reach of many as they survive below the poverty datum line of US\$1.25 per day, with the least going for US\$8600. The incomes are spent on immediate needs such as food, health which make it impossible to afford the high up-front costs of investment in housing, Fawcett, B et al (2004). Council have partnered with private developers in a PPP to service the above stands but it seems like this housing initiative will only benefit a few who can afford them. According to Tskikotshi (2014) privatization of services mostly limits service delivery to low income households. Of those interviewed 100% knew of these stands being offered by the council but couldn't do anything about them.

**Poverty** - the informal settlement has a high poverty prevalence rate as compared to other peri-urban areas which is 65%, ZimStat (2012). Reasons for high prevalence is because of low incomes, unemployment, and the economic challenges being faced by the country. UN Report (2005) noted that poverty

is the absence of opportunities, accompanied by high levels of malnourishment, illiteracy, hunger, lack of education and social instability. This is characterized by a chronic shortage of economic, social, and political participation, relegating individuals to exclusion as social beings. From the interviews one of the respondents noted that they have resorted to adopting immoral livelihood for them to be able to put food on the table. Prostitution and criminal activities came out in the interviews and they have been on the increase in the informal settlements as there is overcrowding and many unemployed people and they have resorted to these for a living. The average income of the settlers interviewed is US\$104.47 with the lowest earning being US\$30.

*Statistics for levels and form of employment in ward six and seven.*



Source: Primary Data (2016)

Of the respondents who participated in this research, 62% were employed in the informal sector. 21% were in the formal sectors and 17% were unemployed. The research established that the majority of the population within the settlements had not reached tertiary level of education. Low levels of education usually constrain chances of the urban indigents to secure decent and well-paying employment to uphold their livelihoods in urban areas.

Lack of socio-economic amenities like schools perhaps impact on them and the next generation. As a result, residents do not have required skills to be employed in better paying positions in the formal sector. The area reflects serious concentration of urban poverty. Of those in the informal sector, the reason for them to settle in the informal settlements was of not having constant income.

**Political Interference** - In Epworth, towards 2008 and 2013 election unoccupied land reserved for future development was invaded by land barons affiliated to the ruling party, distributing to desperate home seekers. 31% of the respondents cited politics as one of the causes of the growth of informal settlements in Epworth. Politicians have been interfering with the technical work of urban planners in the development of towns and a number of homeless people have been forced to join politically controlled and sponsored housing co-operatives, Kadirire, (2016). Land was parcelled out in areas which were planned by ELB for sewer infrastructure and the researchers even observed precast pipes which had been placed on the sites. A respondent in an interview notes “had it not been the ruling party which empowered us by giving us stands for building houses, who else could have given us this land”. From the statement it can be noted that politics has taken over the planning and management of urban planning from local authorities. It has led to chaos in Epworth and other urban areas in housing provision. Other respondents highlighted that by becoming a member of the ruling party, chances are high to get a piece of land. Muderere (2010) further noted that, the urban housing sector is now mired in patronage politics.

## **Consequences of the Growth of Informal Settlement in Epworth**

According to Fawcett, et al (2004), informal settlements are characterized by inadequate infrastructure, poor access to basic services, unsuitable environments, uncontrolled and unhealthy population densities, inadequate dwellings, poor access to health and education facilities and lack of effective administration by the local authority. The area is regarded as informal, and the inhabitants are regarded as illegal settlers.

**Water and Sanitation** - Access to water and sanitation in informal settlements is one of the challenges faced. Residents in these informal settlements depend on unprotected backyard wells, Mulenga, (2003). Inhabitants are at risk of illnesses such as diarrhoea, tuberculosis as a result of the poor conditions in the informal settlements, Leigh-Joseph, (2009) as cited in Marx, (2003). The informal settlements respondents noted their dependence on wells for domestic water was not safe. There was no option for them as the boreholes were not enough to cater to the population. To worsen the situation the researchers observed water wells close to Blair toilets posing a health hazard through underground seepages and flash flooding.

## **Substandard Housing and Poor Infrastructure**

With Epworth informal settlement being an illegal settlement, there hasn't been intervention by Epworth Local Board in provision of basic services like basic infrastructures. NGO have played a crucial role by drilling a number of boreholes to make clean water accessible. The interviewed settlers expressed concern on the reluctance of the responsible authorities to

engage them on resolving the problem. The researchers observed that settlers formed community groups to map the way forward of them to be regularised.

## **Security of Tenure**

Informal settlement residents highlighted that they live in fear of eviction if the Epworth Local Board was to implement development plans intended for the land invaded. Interviewed settlers pointed out that they can only be secure once they are protected from intermittent evictions from the land by any form of recognition from the responsible authorities. Protection of settlers from evictions was noted as a requirement to have the inclusion of informal settlements in upgrading the settlement. It can be noted that hope for security of tenure has been weakened by the decline in the revenue of many urban families and growing economic hardships.

## **Responses Concerning Investment Attractiveness**

Council noted that the informal settlement had negatively affected long term plans as a result of land invasions. Participants noted the disruption of development plans by noting the invasion of land earmarked for the construction of a multi-function stadium and a sewer treatment plant. Olympic Africa pulled out after the land for the stadium was invaded for settlement and the settlers resisting to move, Mhlanga (2015). The interviewees acknowledged that they had unlawfully settled on land meant for the mentioned projects. The main reason was that they had nowhere to go as the available formal serviced land wasn't within their reach. However, ELB staff, noted plans to remove them from such areas for the projects to go ahead as planned.

## **Anti-Social Behaviour in the Settlements**

Respondents interviewed noted an increase in, prostitution, gambling, theft cases. UNICEF (2015) noted the increase in child marriages attributed to immoral and anti-social behaviours. Shamwari Yemwanasikana (2016) estimated that Epworth 41, 9% percent female teenagers are married, 17,7 % are child mothers and it is ranked number 1 in Harare province in such cases. As a survival strategy, youths engage in these activities because of economic hardships. On the other side young girls as early as fourteen years do prostitution with the majority of them being school dropouts due to economic hardships and bad influence. From the interviews, the researchers found out that youths are influenced by people who are migrating to Epworth who survive on such activities looking for a "cheap life".

## **Solutions to Address Causes and Consequences of the Growth of Informal Settlements. Regularisation of Informal Settlements**

According to Martin (1983), upgrading informal settlements is the transformation of illegal structures into a legally recognized settlement. Regularisation from the research seemed to be the popular sentiment among the respondents with 72% of the respondents suggesting it. Regularising the settlement leads to the security of tenure and opens up avenues for the development of the area. McLaughlin and Wilson (1996), noted that the advantage of land formalizing and titling is increased tenure security and access to a formal credit system, increase in land values and property, increase in tax revenue base for the ELB,

and establishment of the comprehensive land register. The Epworth Local Board noted the plans for in situ upgrading suggesting to partner with the community, private sector, and NGO working in Epworth. Mhlanga (2015) cited the reluctance accompanied by inadequate resources in most local authorities.

Settlers noted the fees of US\$200 and US\$100 (survey and regularisation respectively) were too high and beyond the reach of many. According to Chome (2002), the formalization of property tends to increase property value leading to the poor who cannot afford to be left out. Settlers expressed fear that failure to pay to survey and regularising fees to the surveyors and ELB respectively, was going to make them lose their “stands”. Meetings about the program had been politicized and being used to campaign for the ruling party. From the literature reviewed land and regime type whether democracy or authoritative has become distributive politics and clientelism in the housing sector of urban low-income groups

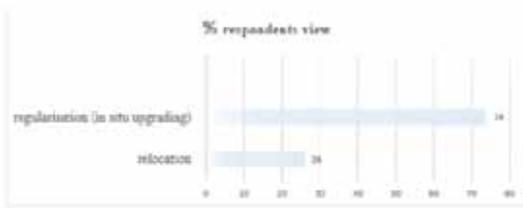
in the past years, Mutsindikwa et al (2015). One of the interviewed settlers noted that human beings were threatened to lose their “stands” if they fail to attend the meetings by the ward development committees. This enforced form of participation seems not to produce the desired goals as one of the respondents noted that “I don’t have time to attend to these meetings purported to be development meetings”. This can lead to ineffective policy formulations according to Mutsindikwa et al (2015) and in this case, not all views will be taken into account. Interviewed settlers noted the gazetted fees by the purported development committee were too high and were not consulted before it was presented to the Local Board. Settlers’ resistance from the research has 76% as challenges in trying to regularise the settlements with politics having 44%.

*Summary of the Challenges Faced in Regularisation of Informal Settlement.*

insufficient financial resources	unavailability of land for housing development	inadequate planning skills	lack of political will	resistance from settlers
5	2	1	1	4
5	1	1	5	5
3	1	4	4	5
5	1	2	1	5
18	5	8	11	19
72%	20%	32%	44%	76%

**Source: Primary Data (2016)**

**Relocation** - can be an alternative to solve informal settlements though from the research conducted fewer respondents supported the idea. Epworth Local Board noted that they had no land to relocate the informal settlers in the wards affected by informal settlements. The settlers on the other side noted that if it is about relocation, ELB should first provide the land to relocate and the land should be serviced with all basic services in place. The local board due to a number of reasons cannot meet the requirements.



Source: Primary Data (2016)

26% of the respondents in the informal settlements suggested relocation as a solution to the informal settlement. The researchers found out that those who suggested relocation are those in inhabitable areas such as wetland. They expressed hope that if the council was going to relocate them, they were going to maybe by coincidence get better stands. One of the respondents said that in an interview “I came here as it was only the vacant piece of land as people had shunned it because it is a wetland, and inhabitable. Tskikotshi (2014) noted the high chances of improved livelihoods, good governance, security of tenure, and sustainability if the relocation process of informal settlements are done in a transparent manner as peripheral relocations present a range of economic, social, environmental; and political concerns, thus reinforcing the concentration of poverty. However, one of the respondents in the informal settlement noted the council was not being considerate to their plight as the council had land which it had sold

to a private developer and the stands were not affordable to them.

## Conclusion

There are a number of reasons as is evident in this paper which have led to the continued growth of informal settlements in Epworth. People due to a number of reasons have been left with no option but to accommodate themselves and by whatever means which is less bureaucratic and “affordable”. It is evident there are challenges associated with the growth of informal settlements. Housing development on the edge of cities often presents many environmental, social, economic, and political problems to settlers as discussed in the research. Also, the challenges have been a result of being segregated from others as they are considered illegal occupants by urban planning authorities. ELB as responsible authorities is incapacitated to fully control their growth as some factors which cause the settlement is beyond their control. The ELB does not recognize the settlement though they are in their area of jurisdiction though there are plans to regularise the settlements. Lack of basic services such as water, sewer system, roads is apparent in the settlements. NGOs such as Madecin San Frontieres, Evangelical Fellowship Zimbabwe, and others are coming in to alleviate the challenges faced by providing humanitarian aid.

The laws such as The Regional, Town, and Country Planning Act 29:12 that governs human settlements in Zimbabwe are also to blame as noted in the research during data collection and analysis. From the research, administration of land and planning policies as in the act are rigid and not enough to meet and accommodate the increasing housing demand by the poor and therefore leading to mushrooming of informal settlements in

most urban areas. The law does not recognize informal settlements which should be the starting point in addressing the problem of informal settlements. The processes prescribed by the laws to be met before one accesses land.

It can be noted that the settlers have been trying to engage the responsible authority for the settlement to regularize but the local authority cited that they do not have the capacity to regularise. However, the settlers interviewed noted their willingness and commitment to bring sanity to their settlements suggesting in-situ upgrading.

## Recommendations

- Regularisation of the settlements is needed to eradicate the informal settlements. Responsible authorities and government departments should recognize the informal settlements as forms of human settlement and make basic services like water, health available to the people in these settlements so as to improve their quality of life.
- There is a need for legislative review of the regional, town, and country planning act to recognize in-situ informal settlements upgrading as a way of providing housing in the already established informal settlements.
- There is a need for economic reform from the central government so as to improve the living standard of the general populace. Most of the causes of the informal settlement are centered on the economic problems being faced in Zimbabwe. This causes immigration into Epworth, seeking affordable accommodation.
- Planning authorities such as the local authorities need to recognise those employed in informal sector by availing platform to access land for housing unlike the current

state. For one to be on the housing waiting list, the requirements include payslips, confirmation of employment which are non-existence in the informal sector.

- There is a need for proper monitoring and evaluation of future housing policies for them to achieve their goals. Monitoring and evaluation should be done regularly so as to reach its intended beneficiaries and reduce cases of corruption that caused the policy to fail.
- Wide consultation is key in the process of formulating and enforcing directives. Cases like the clean-up exercise of 2005 on unplanned structures in urban areas caused a number of home evictions and evictions should not result in individuals being rendered homeless or vulnerable to violations of other human rights. Where those affected are unable to provide for themselves, the state must take all appropriate measures, to ensure that adequate housing, re-settlement, or access to productive land, as the case may be, is available.
- Housing cooperatives within the settlements should be encouraged so that settlers themselves advocate for their regularisation from responsible authorities and also mobilize their own resources to upgrade the settlements. Settlers engaging land surveyors on their own seemed to be the most suggested solution which came out during this research as it will solve the financial incapacitation of Epworth Local Board to have in situ upgrading.
- Local authorities should take back their spatial planning role which they have surrendered. Patronage has had a leading role in the growth of the informal settlement

in ward seven which the ruling party has been distributing “stands” illegally and without the local authority’s approval. Not only in Epworth, but in most urban areas, the role of provision of housing has been surrendered to the private players who turn to make housing unaffordable leading to people go into informal settlements. The land has also been used by political parties for campaigns creating informal settlements as the areas would be un-serviced areas suitable for human settlement.

- There is a need for clarity and separation of duties between the political institutions and the planning authorities for inclusivity in the program. The ward development committee which obviously is aligned to

political parties for ward seven has taken over the process of in-situ upgrading leading to the exclusion of those not in support or known opposition party members. The local authority should be the leading player and strive to make everyone benefit from the program equitably.

## Area for Further Research

With the evidence of the continuous growth, an area of further research will need to establish the possibility of regularising the informal settlement using the in-situ upgrading as it is the one which both the settlers and officials suggested highly apart from relocation or destroying them.

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# Inclusivity and Diversity: Leaving no One Behind



Dr. Edna Moi <sup>1</sup>

## Abstract

*Africa is one of the fastest-growing regions in the world in terms of development. Nevertheless, it has 490 million people living in extreme poverty, which is 36% of the total population by 2021. This poverty is a major risk factor for the majority of the population being left behind while the rest of the world develops. "Leaving no one behind" implies that all should have an opportunity to an equitable standard of wealth and development while bringing their unique diversity. This paper used available literature to answer the following objectives; to identify the major causes of exclusion to leave others behind, to determine the patterns of social exclusion in education, health, and workplace, and to establish those who have been left behind. The findings of the study indicated that lack of reliable and standardized data is a serious challenge with what is available being inadequately disaggregated. Another challenge is the weak institutional capacity which has led to poor governance problems and policy incoherence. Inclusion is a core aspiration of the 2030 and 2063 Agendas with the commitment to "leave no one behind" and prioritizing the "furthest behind first". The study concluded that meeting Agenda 2030 and Africa's Agenda 2063 Aspirations will reduce social exclusion. It further recommended that there is a need to build on individual and community strengths and build partnerships with key stakeholders and develop tailored services to speed up the reduction of social exclusion.*

**Keywords:** Leave no One Behind, Agenda 2030, Agenda 2063, Inclusion and Exclusion

## Introduction

*"Diversity is getting a seat together at the table. Inclusion is sharing your views and being heard, leaving no one behind is when all these two happen" Dr. Moi 2021*

Diversity stretches across society. It brings a freshness and selection of perspectives that should be encouraged and welcomed. This is because everyone is unique and their perspectives are different, based on influences such as age, gender, race, their own life experiences, culture, learning styles, personality type, and education, whose challenges can be solved with inclusion. Inclusion is about creating an environment where everyone

can be heard and be valued. Inclusivity need leadership to be realized therefore inclusive leadership is important. Inclusive leadership is seen as necessary to facilitate and support belongingness and uniqueness (Randel et al., 2018).

In this paper; diversity implies the way people bring a variety of backgrounds, styles, perspectives, values and beliefs as assets to the groups and organizations with which they interact. Exclusion is a state in which individuals are unable to participate fully in economic, social, political, and cultural activities. Inclusion is the process of improving the terms of participation in society, in decision-making processes related to people

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who are disadvantaged on the basis of age, sex, disability, race, ethnicity, origin, religion, or economic or other status, through enhanced opportunities, access to resources, voice and respect for human rights.

## **Identifying Social and Economic Inclusion and Exclusion**

### **Social inclusion**

The process of improving the terms of participation in society for people who are disadvantaged, through enhanced opportunities, access to resources, voice and respect for human rights is the improvement of inclusion. Lack of participation in society is at the heart of nearly all definitions put forth by scholars, government bodies, non-governmental organizations and others as social exclusion (UN 2016), this implies that overall, social exclusion describes a state in which people are unable to take part completely in economic, social, political and cultural life, as well as the procedure leading to sustaining themselves. Participation can also be hindered when people lack access to resources, consisting of income, employment, land, and housing, or to such services as training and health care which are important foundations of well-being that are captured in Agenda 2030. Researchers have indicated the utility of the social exclusion framework to lower-income in developing nations (Saith, 2001). Where the majority of the population work in casual and insecure employment, lack social safety insurance or not even complete secondary education.

According to (UN 2018) leaving no one behind, is not enough to address the problems of those at the bottom; but also, important to address international inequalities and the

concentration of income, wealth, and political power United Nations (2010) cited that the promotion of social inclusion may or may not make people to stay together in agreement as some societies that are otherwise cohesive may also eliminate some part of the population. People who are disadvantaged have two reasons for being potentially at risk of social exclusion and are regularly linked to identity or group ascription (Kabeer, 2006).

The task of measuring social exclusion is in figuring out a set of standards to decide who is excluded and in how to track progress, investigate the effect of measures to promote inclusion, and finally make sure that no one is left behind. Yet quantifying social exclusion presents considerable challenges. People are excluded from many domains of existence; social, economic, political, civic, and spatial. That is to say, the ideas of social inclusion and social exclusion are multidimensional. Assessing who is being left behind and how not only requires goal indications of the reputation of persons but also social groups. It is important to take into account their subjective judgments and perceptions. Social exclusion is, after all, a private experience, and the views of those affected at the threat of being left behind (United Nations, 2010).

### **Domains of Exclusion**

The domain of exclusion can be in four forms: First, Political exclusion this is the denial of citizenship rights such as political participation and the right to organise, and also of personal security, the rule of law, freedom of expression and equality of opportunity. It is argued that political exclusion involves the notion that the state, which grants basic rights and civil liberties is not a neutral agency but a vehicle of a society's dominant classes and may discriminate between social groups (UN 2018).

Second, Economic exclusion includes lack of access to labor markets, credit, and other forms of 'capital assets. Economic exclusion (figure1) has many implications according to Prahalad (2011).

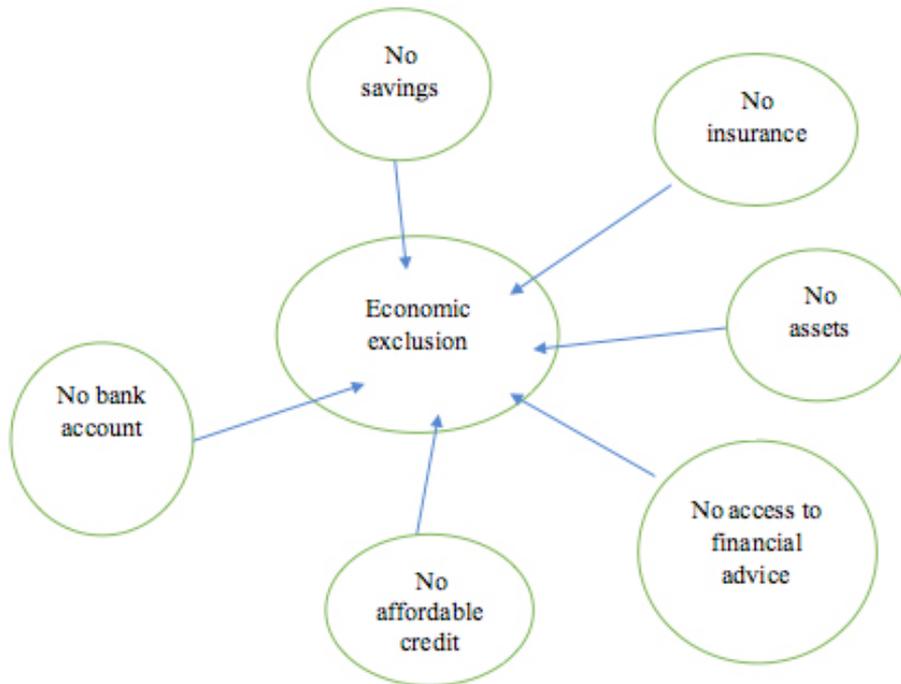


Figure1: Economic exclusion

As indicated in figure 1 indicates drivers of economic exclusion include no or low income and savings lack of assets, unemployment, and use of inappropriate products. Psychological issues and feeling of being excluded, ethnic issues, geographical remoteness, and lack of internet access. Personal and social factors like cultural norms, gender, age, and legal identity also arises.

Third, Social exclusion may take the form of discrimination along with a number of dimensions including gender, ethnicity and age, which reduce the opportunity for such groups to gain access to social services and limits their participation in the labour market. Finally, Cultural exclusion refers to the extent to which diverse values, norms and ways of living are accepted and respected.

## Major causes of Exclusion to Leave Others Behind

### Poverty

Africa is the fastest-growing region in the world but it has 490 million people living in extreme poverty which is 36% of the total population by 2021(UN 2018). The major cause of exclusion is poverty. Poor people cannot effectively exercise their voice or interact with each other, and when their rights and dignity are not accorded equal respect and protection, thus social exclusion. Those deepest in poverty are the most vulnerable. Poverty brings a feeling of alienation and inferiority. Social exclusion also encompasses the situation of certain groups of people, whether mentally

or physically handicapped, suicidal people, aged invalids, abused children, drug addicts, delinquents, single parents, multi-problem households, marginal, antisocial persons.

Poverty is less a state that applies to a fixed group of individuals than a condition which people are at risk of experiencing at some point in time, and one which they have the potential to move out as well as face the risk of falling back into it. Certain circumstances, including periods of ill health, unemployment, natural disasters, drought, violence, and conflict or a combination of these shocks, may put an individual or a household, particularly at risk of impoverishment (ODI, 2014). Globally, more than 2.6 billion people that is, 37 percent of the global population are living on less than \$3.80 a day (UN, 2010) and could easily fall back into extreme poverty with a sudden change in their circumstances. Poverty is inextricably linked to social exclusion, both as a cause and as one of its consequences. Moreover, poverty is increasingly framed in ways that overlap with social exclusion, such as the capacity of an individual or a household to participate fully in society (Sen, 2000). As a result, scholars have proposed measuring poverty using several indicators beyond income or consumption (DFID 2011).

The call to eradicate poverty and the promotion of full employment and income-generating activities are urgent. In adopting the 2030 Agenda for Sustainable Development, Governments and the international community at large reaffirmed, with renewed urgency, that striving for an inclusive world means addressing several interdependent goals, including the eradication of poverty, the reduction of inequalities, the pursuit of inclusive and sustainable economic growth and decent work for all, among other goals.

Agenda 2063, according to African Union Commission (2014), is a shared strategic framework for inclusive growth and sustainable development and a global strategy to optimize the use of Africa's resources for the benefit of all Africans. The Africa we want is an Africa with a strong cultural identity, common heritage, values, and ethics, as the cradle of human civilization, is the custodian of a cultural patrimony that has contributed enormously to human progress. African cultural identity, values, and ethics as a critical factor in Africa's re-emergence on the global stage in the decade of the 2010s, once promoted and strengthened by 2063 can reduce or eliminate social exclusion. An inclusive economic growth could expand job opportunities, especially for the youth and women.

In the context of weak institutional capacity, it means a lack of good governance to define the way countries and societies manage their affairs politically and how power and authority are exercised. For the poorest and most vulnerable, the difference that good or particularly bad governance makes to their lives is profound (DFID, 2011). This indicates the inability of government institutions to prevent conflict, provide basic security and services, lack of opportunity to prevent generations of poor families from lifting themselves out of poverty, and the inability to grow economically. Having strong institutions for governance is central to achieving development and ending conflict.

## **Inadequately Disaggregated Data**

Data on sex, age, education, income, location, and other intertwining factors for people facing different constraints is another cause of exclusion. Disaggregated data allows

more effective and efficient policies and interventions, without which others will be left behind. Monitoring all targets requires detailed disaggregation of measures of progress by groups to ensure that progress toward these targets is reached by all. Implementation of agendas require the indicator framework that includes providing necessary statistical standards and tools to assist with the recommended levels of disaggregation. When data is aggregated, it provide a “big picture.” Nevertheless, the focus on the promise to leave no one behind by the 2030 or 2063 is not only about the big picture, but also its details. Data collection and disaggregation will allow for comparison of population, groups or characteristics central to human rights obligations and to collect and publish data disaggregated on grounds of discrimination as recognized in international human rights law. Monitoring of the production of data for gender statistics, particularly those linked to relevant global commitments and national policies is a key requirement as it will assists users to tag indicators as gender-relevant according to national and global priorities (ADB, 2021).

## Consequences of Exclusion

When people are left behind, they are at risk of not participating in activities or programs that affect them. They do not access resources of all kinds and find themselves missing opportunities as indicated in figure 2. The unequal access to resources and differences in technological progress, alter the outcome of land management and social behaviors. When living conditions become undesirable, it becomes a reason for individuals to feel left out. They attributed to poor resource availability and accessibility in income, this brings inequality as the largest impact both

directly and indirectly (Kirsten & Michel, 2020). If people are unable to move and the land is degraded, they will inevitably be embroiled in poverty and experience poor well-being (Barbier and Hochard, 2016). Resource accessibility per individual is dependent on the power to participate in issues affecting their lives. People feel left out when they cannot access equal availability of natural resources, the ability to acquire such resources, and the potential to enhance production yield with technology. This leads to denial of opportunities.

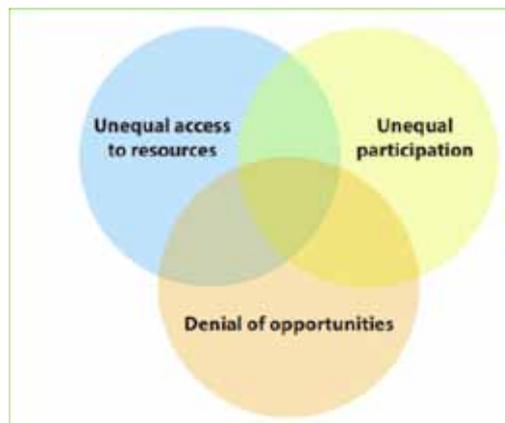


Figure 2: Consequences of Social Exclusion

## Patterns of Social Exclusion in Education, Health, and Workplace

The gross underrepresentation occurs due to a lack of education. Inclusive education involves embracing human diversity and welcoming all children and adults as equal members of an educational community. This is done by valuing and supporting the full participation of all people together within mainstream educational settings. Acceptance of the notion that children can be excluded from mainstream education because they are labelled as disabled or poor amounts to institutional exclusion.

Empirical evidence indicates that even for those who view inclusive education as ideal for all children, interpretations of ‘all rendered certain students’ inappropriate candidates (ILO, 2018).

Inclusive education requires recognizing and upholding the rights of all children and adults and understanding human diversity as a rich resource and an everyday part of all human environments and interactions. Inclusive education is an approach to an education free from discriminatory beliefs, attitudes, and practices. Inclusive education requires putting inclusive values into action to ensure all children and adults belong, participate and flourish. Employment studies such as ILO have indicated that workers make up 45.0 percent of informal employment and employees’ 36.2 percent with which males highly dominate the industrial sector, with only 4% of the workforce consisting of women (ILO, 2018).

## **Who is Being Left Behind**

People who have been left behind are those who face: discrimination, alienated due to geographical factors, impacted by poor governance, socioeconomic status, and shocks and fragility. These are the five key factors that can hide vulnerable groups across societies within aggregated data, even with high levels of disaggregation (UNDP 2018). Discrimination entails the biases, exclusion or mistreatment that people face based on one or more aspect of their identity that has been ascribed or assumed, including prominently gender as well as ethnicity, age, class, disability, sexual orientation, religion, nationality, indigenous, migratory status (Miller, 2009). etc. The geography is all about those who endure isolation, vulnerability, missing or inferior public services, transportation, internet or other infrastructure gaps due to their place of

residence or have been naturally disadvantage such as natural disaster. The Governance results where people face disadvantage due to ineffective, unjust, unaccountable or unresponsive global, national and/or sub-national institutions. Those affected by inequitable, inadequate or unjust laws, policies, processes or budgets are less or unable to gain influence or participate meaningfully in the decisions that impact them.

Those excluded based on Socio-economic status face deprivation or disadvantages in terms of income, life expectancy and educational attainment, they have less chances to stay healthy, be nourished and educated. Finally, shocks and fragility affect those who are more exposed and vulnerable to setbacks due to the impacts of climate change, natural hazards, violence, conflict, displacement, health emergencies, economic downturns, price or other shocks. Irrespective of age, gender or ethnic groups they are left behind.

## **Conclusion**

In order to leave no one behind people need to be given the opportunity to: secure decent jobs, access services, connect with family, friends, work, personal interests and local community, deal with personal crisis and have their voice heard. Governments and other global stakeholders need to support more research to obtain reliable the data to avoid exclusion leading to leaving others behind. There is need to reduce disadvantage by making sure people in need benefit from access to good health, education and other service. Increased social, civil and economic participation helps everyone get the support they need so they can work and connect with the community, even during hard times.

A greater voice, combined with greater

responsibility that the governments and other organizations giving people a say in what service they need and how they work, and people taking responsibility to make the best of the opportunities need to be available. Meeting Africa's agendas of 2063 and vision 2030 could eliminate all sorts of exclusion leaving no one behind.

## Recommendation

Governments and other relevant authorities need to identify those who are being left behind with the help of implementing partners and community stakeholders. The UN Secretariat cannot on its own change these realities. But the UN can diagnose the situation, try to raise the world's consciousness about worrying failings and recommend concerted actions that governments might wish to take to address the gaps need. The need for due diligence that each

organization and community have a specific potential to ensure that no one is left behind. Hold governments accountable for their pledge to leave no one behind, basing on the Sustainable Development Goals targets which include specific reference to vulnerable and disadvantaged groups including through data disaggregated by age, sex and other criteria.

There is need to build on individual and community strengths, build partnerships with key stakeholders, developing tailored services, build joined-up services and whole of government solutions, using evidence and integrated data to inform policy, planning for sustainability, social inclusion non-discrimination, listen to the target group's needs, empowerment, enabling a target group work, and involvement in governance and decision making could be a solution to Africa.

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# Human Resource Management: Trends and Lessons Learned



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## Abstract

*Human Resource Management (HRM) function grew from humble beginnings rooted in welfare. It still faces challenges as it establishes itself as a Professional Practice. This paper traces the early roots in welfare championed by social reformers who showed genuine concern for their workers. From there it grew into an administrative function after world War II, when Governments began to view personnel management as part of the drive for greater efficiency. In the 1960's and 1970's, it began specializing due to influence of social sciences and behavioral sciences theories. In the 1980's, the term Human Resource Management emerged through realization that employees were an asset or resource like other factors of production. Professional HRM models emerged in the 1990's due to globalization and introduction of the New Public Management (NPM). However, while the function gained recognition with time, it still has had little or no real input into strategic decisions to achieve organization's core objectives in the public service. This is due to among others: Poor implementation of reforms; lack of clarity of roles and alignment of HR practice to goals and objectives; Rigidity of practice; Practitioner competences and skills, Lack of Professionalism and poor adaptability to change. Thus, the future of HR as a profession will depend on its ability to acquire and assimilate advances in ICT; improved understanding of the implications of demographic trends in the workforce, paying attention to leadership and leadership development and putting greater emphasis on workforce capability and systems of knowledge management.*

**Keywords:** Trends, Lessons Learnt, Strategic Human Resource Management, Information and Communication Technology (ICT), Leadership, Professionalism.

## Introduction

Human Resources Management (HRM) is critical to any organization's performance and to public service delivery. From an academic perspective, the term HRM is relatively new having emerged first in the 1980's from traditional personnel functions and it is still struggling to gain credibility and sit alongside more established disciplines like engineering, law etc. Its origins can be traced to Industrial relations and personnel management practiced in the 1980's subsequent to the human relations movement in the United States. Its early

roots were in welfare championed by social reformers who showed genuine concern for their workers. From these humble beginnings, it has grown in leaps and bounds so that today, HRM is seen as a key requirement for success and continuity of any organization.

This paper traces the development of Human Resource Management from the 19th Century to the present to point out the major changes in industry that led to its recognition as a core function in organizations and in the public sector. It then highlights the challenges the profession faces today and major lessons that

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can be learnt from them. The paper concludes that the future of HR depends on how well it adapts to changes in industry as well as to demographic trends in order to continue offering leadership to enhance workforce capability.

## Human Resource Management Trends

The history of Human Resource Management (HRM) began around the 19th Century when the position of welfare officers (or welfare secretaries) was established. The position holders were mainly women, and they were involved in the moral protection of women and girls as a reaction to the harshness of industrial conditions and the influence of trade unions and the labour movement. The first world war (1918) had accelerated change in the development of personnel management. Women were recruited in large numbers to fill gaps left by men who went to war. A position of 'welfare officer' was thus created whose role was to improve conditions for the workforce, protect girls and women, help in recruitment and maintenance of data (Eaton & Salford, 2008)

Later, in the 1920's jobs with titles like 'Labour manager' also called 'employment manager' were introduced in factories. These were primarily administrative jobs. The holders were engaged in transactional aspects of HR work including; handling absence, recruitment, dismissal and queries over bonuses. During the 1930's as the economy was beginning to pick up,

organizations saw value in increasing employee benefits as a way of recruiting, retaining and motivating employees (Matthew, 2015)

The second world war (1945) brought a period of full employment. Expectations of workers were high. Trade unions became powerful drivers of change. The first personnel officers came into being on a full-time basis. This is because governments had begun to view personnel management as part of the drive for greater efficiency. As a result, the number of people in the personnel function grew substantially. Experience of the war had shown that output and productivity could be influenced by employment policies. Employment management and welfare work were thus integrated under the broad term 'Personnel management'. Their role was to negotiate terms and conditions of employment.

However, poor industrial relations in the 1960's brought to the fore the poor negotiation skills of the personnel managers and the failure of management to give personnel management sufficiently high priority. Subsequently, possession of negotiation became a key aspect of employment as employers responded to growing trade union influence especially through collective bargaining. This aspect of negotiation was added as a function of the personnel officers. Subsequently, management training was expanded. Specialization in practice began to emerge with e.g. reward and resourcing being addressed as separate personnel matters.

**Table I: Stages in Development of HRM**

PERIOD	STATUS
Before 1940's	Welfare/Administration
1940's –mid 1970's	Labour/ Employment officers
Mid 1970's to 1990's	Personnel administration
1990's to 2000	Human resource management
2000 to date	Strategic HRM

*Source: authors summary from text.*

Between 1960's and 1970's, personnel management techniques were developed from theories of motivation and behavioral sciences. Specialisms like selection tests, management training, reward and resourcing emerged as separate issues.

In the 1980's the term Human Resource management (HRM) emerged from the USA. The term seemed to suggest that employees were an asset or resource like machines, but it also appeared to emphasize employee commitment and motivation. Initially, the personnel officers were not considered as members of the management team. Their roles involved collective bargaining, recruitment and selection, job evaluation, training and employee control and compliance with laid down policies and procedures.

In practice however, most HRM officers continued to play a relatively passive role of administering rules and procedures as observed by Osgediz (1983).

*...In most developing country governments, personnel departments play a relatively passive (sometimes even negative) role, administering these (mostly outdated) rules rather than actively developing and pursuing policies for improving public sector management (Osgediz,1983).*

Tyson and Fell (1986) used the "building site" metaphor drawn from engineering profession to describe the changing roles during that period. The earliest role was as the "clerk of works" who ensured the fulfillment of the routine and immediate tasks. There was no interest in looking at the long-term needs of the organization. Then 'contract managers' whose role was mainly to interpret existing procedures, agreements and contracts only making minor modifications to these to

adapt to new circumstances. They were serving just as reactive paper processors. The "architect" role required personnel managers to decentralize authority and decision making to the line managers in various organizational units, allowing them to make crucial decisions concerning employee recruitment, selection, classification and remuneration and the like. Although each of the three models may have had different variants, they help to illuminate the corresponding roles of human resource managers as governments evolved (Torrington, Laura & Taylor, 2002)

Towards the end of the 1980's HRM officers began taking up more strategic roles in organizations. They started acquiring the role of business partner and could now work with line managers to identify needs, share decision making. The business partner role achieved prominence due to the work of Ulrich (1998). The HR officer started contributing to helping the senior managers implement people management practices to help achieve and sustain high levels of performance.

The introduction of New Public Management (NPM) in the 1990's involved extension of private sector management' into the public sector (Gray and Jenkins 1995). These new business practices also embraced new ways of managing public sector employees. Thus, human resource management was included in the public sector reform agenda. The demands for a new approach to management that allowed greater flexibility in dealing with staff issues were based on this rhetoric of NPM and the need for greater responsiveness and efficiency.

New Public Management had a place on center stage in terms of affecting the agenda for change. Its principles allowed a more flexible and responsive approach to questions

of recruitment, selection, retention, training and development of public sector employees. The new models of HRM in the public sector introduced the notion of human resources having the capacity to achieve performance outcomes in line with the strategic direction of the public sector organization (Gardner and Palmer 1997). It embraced a Professional HRM model that presupposed “strategic integration” or “strategic fit” of HR policies and practices both at the macro and micro levels.

Vertical integration was the strategic linkage between the organization’s overall strategy and the HR strategy at the macro level, while horizontal integration at the micro level is linkage between different key practice areas or components of HRM in such a way that they are implemented in a manner that ensures they cohere and are mutually supportive and reinforcing or complementing each other.

For example, recruitment and selection strategies must support training and development strategies and the reward strategy must reinforce performance management plan and vice versa. The horizontal integration of HR practices enables the organization to attain synergy in HR work. According to McCourt, (2003) Strategic orientation is the heart and soul of HRM that is why it is dubbed ‘Strategic Human Resource Management’ (SHRM).

The Strategic HRM framework requires the devolution of staff management authority to the line managers rather than concentrating employee management power in the hands of HR specialists. All authority of HRM roles should be vested in line managers. Effective implementation of the HRM model presupposes certain structural arrangement. A decentralized structure is one of the pillars upon which HRM model rests. Consequently, a devolved HR management function is more preferred to centralized staff management structures and systems.

## Challenges and Lessons Learnt

Human Resource Management has evolved from humble insignificant beginnings to be a key factor in any organizational success. However, long years of responding to stated requirements of managers to provide short-term credibility has often stopped HR occupying a strategic position where all authority of the HR roles is vested in line managers and the HR personnel act as facilitators and as strategy experts. While the function has gained recognition with time, it still has little or no real input in strategic decisions on how to achieve organization’s core objectives (UNDESA, 2005). The profession faces daunting challenges originating from within it and also from forces outside it. The

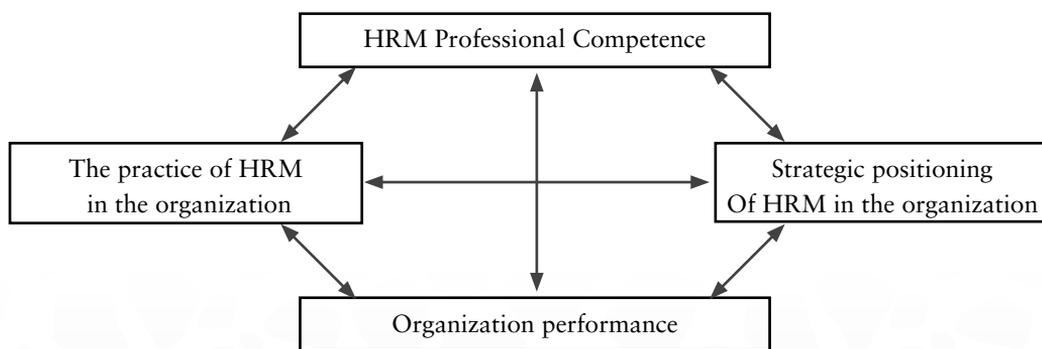


Figure 1: Illustration of components of an effective SHRM system(author’s)

major challenges facing HRM practice in Africa and the key lessons learnt include:

### **1. Poor Implementation of Reforms**

According to Palidano (1999) and Dodoo (1997), many HRM reform initiatives proposed in the developing world tend to be more on rhetoric than results. The rhetoric draws from whatever ideas are internationally fashionable. Administrative reform has had a high failure rate partly because of poor record of implementation. Similarly, the growth of HRM from an administrative to a transformative status has been in many cases more in name than in practice. While HRM is now recognized as key factor within organizations, it is still heavily influenced by legal and institutional frameworks that have robbed it of the flexibility it requires to changes. Again, excessive powers on some of its key functions like recruitment and selection, Performance management, employee relations and organizational development have become vested elsewhere especially in the Executive offices. This has greatly interfered with foundational HR services leaving the professionals watching from the sidelines. The key lesson here is that it is one thing to recognize an organizational function as important, but it is effectiveness has a lot to do with how well the professionals have been empowered to perform key roles.

### **2. Clarity and Alignment**

The way work is organized in the public service has little focus on any specific goals and objectives at departmental level (Ministry level). The broad functions allocated to each ministry makes it very difficult for HRM professionals to intervene and add value. There is need to ensure clarity of roles and alignment of HR practice to goals and objectives.

Public service HR is based on assumptions of uniformity hence the attempts to standardize HR practice. Constant transfers across departments while demotivating has also the effect of making HR professionals not very focused on the business of the department and instead focus on addressing operational people matters requested for by the line managers.

The key lesson from this is the need for HR roles to be defined beyond traditional transactional ones. HRM must be seen as business partners and centers of expertise on people matters. At the same time, HR must stop viewing itself as solely responsible for people matters. It must stop continuing to do operational level tasks at the strategic level. Instead, they need to focus on understanding the business of their organization to be able to guide, develop, nurture and motivate line managers (Tracey & Nathan 2002)

### **3. Rigidity of Practice**

Strategic Human Resource Management principles are based on the need to allow a more flexible and responsive approach to questions of recruitment, selection, retention, training and development of public sector employees to deliver competitive advantage (Walker 1992). The ability to achieve this advantage in a rapidly changing and dynamic environment has further extended the focus of HRM to include developing organizational capacity to adapt to changing environmental contingencies (Wright and Snell 1998). In this way, the effective deployment and management of people within organizations is purported to be a powerful tool to respond to complex and turbulent environments and achieve superior organizational outcomes. Multiskilling, restructured career paths, abolition of seniority as a basis for promotion, greater emphasis on equity considerations and

the removal of rigid employment categories have been some of the benefits of shifting from personnel administration to HRM in the public sector (Brown 1997).

**However:**

- a. Employment in the public sector is based on the notion of a 'career service' of security of tenure and lifelong employment and was framed through the operation of an internal labour market (Gardner and Palmer 1997).
- b. In the Public service salaries are traditionally determined centrally and the civil service has always paid attention to equal opportunities, diversity HR and issues of 'demonstrable' fairness in HR practices. This inconsistency prevents institutionalization of best practice of pay on the basis of performance.
- c. HRM services in the Public Sector has become more differentiated with several organs performing different aspects of HRM. This has left Professionals at the Ministry/departmental level only responding to changes rather than initiating them based on their experiences at work.

The lesson here is that HRM practices in the public service need to be based on what works best to enhance productivity. Recognition of diversity must be based on merit and the need to make public services efficient and effective for the 'common good'. Every ministry HRM should be structured to enhance efficiency rather than to conform to a generalized civil service structure.

#### **4. Practitioner Competences and Skills**

Transformative HR practice is about personal

credibility and personal effectiveness. According to Ulrich (2003) HR Professionals now have access to the senior management table. They have acquired a high position profile. The question is still asked whether it is about status and ego or if they are doing what they should be doing while at that table. Are they felt in the organization? Some argue that HR still has to prove itself a strategic power. It has to learn to speak the language of business and demonstrate knowledge of business in order to provide a credible reason for business to approach them.

According to Nadler & Wiggs (1986), Abdulla (2009), Sambrook (2002) and Bing; Kehrhahn and Short (2003), a winning characteristic of strategic HR is one driven by professionals who possess expertise to diagnose needs of the organization and of staff and capacity to plan activities to position HR to steer organization performance. The key lesson here is that HR professionals must be able to demonstrate that what they do is significant in the performance and productivity of the organization and that the many initiatives they undertake facilitate employees learning on a continuous basis to support the strategic business processes of the organization. There is still great need to raise the functional profile of HR in the Public Sector. This must be done by the professionals themselves through marketing it internally and building trust, credibility and strong relationships with line managers.

Unfortunately, marketing is not a very strong function in Government. Positioning HR strategically has been left to the practitioners who must reach out to all levels of the organization and letting everyone know who HR is and how they can benefit them. They must demonstrate knowledge of service delivery to provide a credible reason for the

line managers to approach them on business matters. HR must 'stop selling hearing aids by phone'. They can only do this through paying attention to their own learning and Continuing Professional Development (CPD)

### 5. Knowledge Leadership

Leadership in any organization is seen as a force for overall organizational development and as a tool to develop knowledge and intellectual capital. It creates commitment to strategic direction and an environment for continuous improvement and innovation. There are two integral elements of Leadership- 'Knowing' and 'doing'. Knowing is about who one is, that is the 'being' and it encompasses one's inner self, beliefs, values, principles, paradigms, feelings and thoughts (Tierney, 2021). Doing is the actual performance of tasks and activities. HR leaders must be more focused on 'how to be'-how to develop quality character, mindsets, values, principles and courage. Knowledge leadership in this case is a process whereby HR Professionals support groups and individual employees in learning processes needed to attain organizational goals (Stogdill, 1974).

The main lesson here is that HR Professionals as Knowledge leaders should possess a broad range of interpersonal and organizational development skills and need to enable cultural change, build relationships and facilitate knowledge transfer (Ali & Yusof, 2006) According to Yang, et, al. (2014) effective adoption of knowledge leadership is associated with customer knowledge management and this in turn influences organizational performance. HR Professionals must be adept at 'alignment'. This according to Wenger (1998) is the ability to coordinate perspectives and actions within the organization to direct energies to the achievement of goals and objectives. They

must foster collaboration and build spirited teams by actively developing leadership.

Developing employees into leaders does not have a one-size-fits-all approach, but there are strategies that HR professionals can use to encourage employees to have a thoughtful, evidence-based, independent approach to gaining the skills required to be an effective leader. These include: Identifying which leadership skills are important; encouraging responsibility and independent thinking; modelling the way, providing leadership training and creating mentorship programmes (Kouzes & Posner, 1995)

### 6. Need to Enhance Professionalism.

There is a huge difference between being an expert, being qualified and being a Professional. The essence of being a professional is about being trusted, acting with integrity, applying expertise as well as judgement and critical thinking and having up to date knowledge and skills (CIPD, 2017). Professionalism is not a technical skill. It is a set of internalized character strengths, attitudes and values directed towards high quality services to others through one's work. It has to do with character, attitude, striving for excellence, competency, and behavior as well as ethics.

*'To give real service, you must add something which cannot be bought or measured with money, and that is sincerity and integrity'* Douglas Noel Adams, English author (1952-2001).

Professional competence is about capacity to retain immense knowledge backed by empirical evidence; to stay on top of the trends in research and know which outside variables may push internal relationships. Professional competence is a combination of Personal competence and social competence. Personal Competence is a combination of

self –awareness, self -regulation and self – motivation. Social competence has been described as involving the personal knowledge and skills which persons develop in order to deal effectively with life’s many choices, challenges, and opportunities (Leffert, Benson, & Roehlkepartan,1997). Some of the distinguishing features of a professional in any field include: striving for quality and excellence, sustained maximization of knowledge and sharing which implies a constant search for more and more knowledge and a propensity to always propagate the knowledge through effective communication (CIPD, 2017).

The main lesson here is that the HR professional practice should reflect itself in a multiplicity of roles within the organization including: being an expert on people at work; an alignment engineer; a keeper of organizational values; the provider of analytically based options and solutions; persuader and risk taker; a marketer; a trusted confidant; an agent of continuous transformation; an adviser on change management and a strategy expert. The HR professional must strive to play all these roles effectively.

However, a CIPD (2017) survey found that HR practitioners have a slightly stronger sense of identification with the organization than with the profession. When under pressure from the business, organizational identity may take precedence over professional identity for HR practitioners, which could provide some explanation for the gap between ambition to uphold ethical values and actual practice.

### **7. The need for HR Professionals to be More Adaptive to Change.**

Today’s workforce is more diverse than ever before-generationally, aspirationally, educationally and culturally as well as in the

more obvious and visible aspects of diversity. Work itself is changing beyond recognition and we are therefore working in increasingly diverse ways. Understanding, respecting and valuing these dimensions of diversity is vital to not only get the best from the entire workforce but to also encourage innovation and different perspectives (CIPD, 2015)

Crisis like COVID-19, Climate change should challenge all professionals including HR to respond, adapt and think differently. These crises especially COVID-19 has tested adaptability to support different ways of working, continuity and communications. COVID brought to the fore the vital role of HR in continuity of organizations. As work shifted from office to homes, it brought out the need to quickly adapt and be more innovative in supporting employees working at different locations to keep them engaged and productive. It called for quick adaption to change from face to face interventions in performance management, talent management, training and development to those increasingly mediated by technologies. It also called for appropriate solutions to possible negative consequences of remote working like isolation (may lead to depression) conflicts related to work-life balance and health and safety issues.

But, according to Brown (1997) long years of responding to stated requirements of line managers to provide short term credibility is what may have brought HRM function to its knees. Contrary to expectations, the Public sector HR was not quite ready to address the crisis. Only services that had been automated continued while by and large work in the civil service was severely disrupted for long periods due to COVID epidemic. There is need for a paradigm shift in which HR plays a more creative role and be more flexible to changing

employee needs as circumstances change. They must be change agents helping organizations to embrace and even capitalize on change, shaping up processes and a culture to improve the organizations capacity to deal with changes (Ulrich, 1998)

## 8. The Challenge of Technology

There are emerging new concerns in relation to new directions and approaches for HRM in the public sector on the organizational effects of ever-increasing levels of Technology. HR should concern itself with application of the internet and web-based systems and increasing mobile technologies to change the nature of interactions within the organization from a pure face to face relationship to one increasingly mediated by such technologies (Florkowski & Lujan, 2006). One lesson learnt in this period of COVID-19 is that HRM has a key role to play in ensuring business continuity. As Work shifted from offices to homes/anywhere, it required adequate tooling and IT.

Many private sector organizations used their Tech-savvy millennials to innovate and survive. They used Technology for staff engagement in difficult circumstances and for remote learning. They were even able to extend the duty of care through coaching and mentorship. HR Professionals in the Public Sector must learn to leverage data and technology to augment better informed decisions. They should create an internal virtual value chain to parallel any physical internal HR value chain by replacing or compelling face to face relationships and any Human Resource information systems customized content and greater individualization of services.

HR should shift more to e-HR to liberate itself from administrative shackles in order to

focus more on developing intellectual social capital and managing knowledge to improve the organization's competitive advantage. Organizations should therefore integrate e-HR information systems with other organizational systems to facilitate faster sharing of information and decision making (Lengnick-Hall & Moritz, 2003).

## Conclusion

Employee welfare has been of concern from the time factories and industries were established. Those bestowed with responsibilities of dealing with employee matters were called different names at different periods of development of the profession. The term Human Resources Management evolved from the human relations movement of the early 20th century, when researchers began documenting ways of creating business value through the strategic management of the workforce. The function was initially dominated by transactional work, such as payroll and benefits administration, but due to globalization, technological advancement, and further research, HR now focuses on strategic initiatives like talent management, succession planning, industrial and labor relations, ethical considerations, diversity and inclusion. It has become a core issue in survival and productivity of organizations. Yet, it still faces many challenges as it transforms into a professional entity and as more and more organizations adopt it as a business partner playing a strategic role.

The future of HR depends on its ability to acquire, assimilate, transform and exploit new knowledge in other areas to allow it to connect with the dynamic strategic drivers (Huselid et al, 2005). Areas of emerging concern and challenge to HRM in the public sector are the advances being made possible by highly sophisticated information technology including

human resource information systems, the importance of understanding the implications of demographic trends such as the ageing population, the need for additional attention to leadership and leadership development and the greater emphasis on workforce capability and systems of knowledge management (Shim 2001).

## Contribution to Knowledge

This paper summarizes the development of the Human Resource profession from the industrial development of the 19th century. Historical knowledge enables people to discover what

was happening then to be able to compare with what is happening now in order chart out what the future will be. It is evident that the growth of Human Resource Management was closely linked to the growth of industry and the HR trends reflect what needed to be done with time to help employees maximize their potential as workers. Such knowledge is useful in this era of the Fourth Industrial Revolution technologies and globalization to prompt efforts to adapt the practice of Human Resource management to the changing demands of industry and public service.

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# Accountability Tools for the Implementation of the African Charter on Values and Principles of Public Service and Administration



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## Abstract

*This paper is the outcome of an extended engagement that started in 2018 when the African Union Commission (AUC) commenced the development of the guidelines for reporting on the implementation of the African Charter on Values and Principles of Public Service and Administration (the Charter). The work involved technical design and development covering the various systems and tools to report on the Charter implementation and capacity building interventions held in several countries, including Tanzania and Lesotho. The paper is a focused review of the reporting instruments developed and a technical reflection on the journey to identify lessons learnt.*

*Africa is awash with many development frameworks and instruments, and virtually every sector has a glut of strategies and plans that go unimplemented year after year. The paper has identified the implementation gap as a severe challenge in realising many well-meaning visions of the African Union. The paper shows that the implementation of the Charter is anchored in the African Union Governance Architecture. The paper demonstrates that the Charter is primarily a framework for strengthening and legitimising suitable governance measures and should be viewed as a substantial contribution to the realisation of the “Africa We Want” as defined under Agenda 2063. The paper renders an analytical review of the technical tools and instruments that State Parties have developed and subscribed to for assessing and reporting on the implementation of the Charter. The mechanics of deploying the implementation tools are explained while, at the same time, highlighting the technical anchors of State Parties assessment and scoring. As is the case with any initiative of this continental magnitude, challenges and opportunities reside side by side, and these are discussed with a way-forward mapped.*

**Keywords:** African Charter, African Union, State Parties, Reporting Guidelines, Member States, Implementation, Governance

## Evolution and Essence of the African Charter on Values and Principles of Public Service and Administration

African Heads of State and Government adopted the African Charter on the Values and Principles of Public Service and

Administration (the Charter) as an affirmation of their political commitment to building state capability in Africa in a manner that maintains the legitimacy of the service and adapts it to evolving needs on the continent; that strives towards the modernisation, improvement and entrenchment of values of good governance in public service; and that consolidates public service to promote integration and sustainable

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development on the continent (AU Declaration 2011). The Sixteenth Ordinary Session of the Assembly, held in Addis Ababa, Ethiopia, on January 31 2011, adopted the Charter, and it entered into force on July 23, 2016. As of April 2021, 38 Member States had signed the Charter. In contrast, only 19 had ratified or acceded to it and deposited the requisite accession instruments with the Office of the Legal Counsel of the AUC.

The continental development agenda was adopted by African Heads of State and government during the golden jubilee celebrations of the formation of the Organisation of African Unity (OAU) / AU in May 2013, as an affirmation of their commitment to support Africa's new path for attaining inclusive and sustainable economic growth and development. The agenda seeks to deliver on a set of seven aspirations, each with its own set of goals which, if achieved, will move Africa closer to achieving "The Africa We Want" (Implementation Report pg18).

Even though the main provisions of the Charter apply specifically to public services and their employees, it affects citizens, customers, and governments. Countries participating in this veritable framework would benefit from the peer support they would receive from others within the AU, including the advantages of a transparent process of improving public administration capacity (Busieka & Maphunye 2011). Ultimately, (Balogun, 2003: 7) the Charter should be viewed as "holistically" serving the interests of civil society, "the customer", the government, and the administration.

## **The Context of the Implementation of the African Charter**

After several consultations and technical dialogue among its policy organs, the AU transformed Ministerial Conferences into the Specialized Technical Committees (STCs). Thus, under Article 25 of the Treaty Establishing the African Economic Community (Abuja Treaty) and Article 5 (1) (g) of the Constitutive Act of the AU, which provides for the paradigm shift to transform ministerial conferences into Specialized Technical Committees, the Assembly of Heads of State and Government of the AU decided that all AU-STCs should be operationalised by January 2014. The new formation has seen the previous standalone sector of Public Service and Administration, Decentralization and Local Government; Housing, Urban Development and Human Settlements amalgamated into one STC No 8, with the Department of Political Affairs, Peace and Security of the African Union Commission, as the secretariat.

On 18-20 August 2014, the Secretariat of the STC8 facilitated a three-day stakeholder's technical consultative planning meeting on the operationalisation of the AU-STC 8 in Addis Ababa, Ethiopia. Each of these Ministerial Conferences has been transformed into an AU STC Sub Committees on Public Service and Administration; Local Government and Decentralisation; Urban Development and Human Settlement. These three STC Sub Committees constitute the AU Specialized Technical Committee No. 8 on Public Service, Local Government, Urban Development, and Decentralization (AU-STC 8).



Figure 1

The Charter is one of the many vehicles the African Union (AU) has deployed to catapult the realisation of the aspirations expressed in the Africa Agenda 2063 for “a continent where institutions are at the service of its people.... and deliver effective and efficient services”. The Charter reflects a conscious and deliberate effort by the AU Member States to revitalise, professionalise and strengthen the capacity of the public service and administration and to consolidate the democratic gains that the Member States have achieved through enhanced public service delivery and socio-economic development. The Charter also serves as a determination by the AU Member States to improve public service delivery, combat corruption, protect the rights of citizens as users of public services, and promote good governance and sustainable development.

As Africa forges ahead with diverse developmental programmes to lift many from the shackles of grinding poverty and underdevelopment, calls are ringing out for a public administration that is an effective, coherent, representative, competent and democratic instrument for implementing government policies. Furthermore, a public administration that delivers the needs and aspirations of the African people as encapsulated in the African Agenda 2063 and

One of the main recommendations of the STC 8 meeting was the development of detailed work plans for each of the STC8 Sub -Committees. The three work plans were refined, harmonised, and synthesised into a work plan of the STC No. 8 on Public Service, Local Government, Urban Development, and Decentralisation for two years.

the 2030 Agenda for Sustainable Development (Busieka, 2016). Individual African Heads of State have echoed the importance of public services. In his seminal paper presented to the 25th Summit of the African Peer Review Mechanism, Ugandan President Yoweri Museveni identified a “non-responsive civil service” as one of the 11 bottlenecks facing Africa (Museveni, 2016).

The successful practice and implementation of a National Integrity System are predicated on strong leadership and the ability of leaders to set a vision based on the values of the society (Levin, 2008). The Charter is an initiative of the African Conference of Ministers of Public/Civil Service (CAMPS) that seeks to address socio-economic, political, and other development challenges facing the continent (Kobia, 2011). The Charter serves to deepen the practice of peer review and can contribute to public service delivery improvements. As such, this Charter complements existing instruments of the AU in, amongst other fields, corruption, governance, and human rights (Latib, 2010).

It is vital to anchor Agenda 2063 within the existing country and regional institutional mechanisms with designated focal points for improved domestication, coordination, implementation, and reporting (Agenda

2063 implementation Report 2020). Institutionalising evidence-based reporting on Agenda 2063 among all AU Member States, RECs, and AU continental-level bodies is thus required to review progress on a biennial basis. A framework for Monitoring and Evaluation was developed by the AUC, the AU Development Agency (AUDA-NEPAD), the eight Regional Economic Communities (RECs), the Africa Peer Review Mechanism (APRM), the Africa Capacity Building Foundation (ACBF), the Sustainable Development Goals Centre for Africa and the United Nations Economic Commission for Africa (UNECA) (Agenda 2063 Implementation Report 2020). The Charter is one such instrument for evaluating and monitoring the agenda 2063 and the Sustainable Development Goals (SDGs) related to Governance and Public Administration, a key avenue to the Africa We Want.

## **The Charter is a Good Governance Anchor for Agendas 2030 and 2063**

The Charter design and content reflect an integrity framework with all the hallmarks of good governance architecture. The Charter, once implemented, will, without a doubt, contribute significantly to the realisation of the governance-related measures within the SDGs and Agenda 2063. The Mo Ibrahim Foundation (MIF) defines governance as the provision of the political, social, and economic public goods and services that every citizen has the right to expect from their state and that a state has the responsibility to deliver to its citizens. To measure this, the Ibrahim Index of African Governance (IIAG) focuses on the outcomes for citizens in key governance dimensions such as Safety & Rule of Law, Participation & Human Rights, Sustainable Economic Opportunity and Human Development.

The four governance dimensions and their respective sub-dimensions – from Rule of Law to Personal Safety, to Gender, Business Environment, Rural Sector and Education – are also at the core of the goals and targets of the two Agendas. All three frameworks – the IIAG, Agenda 2063, and Agenda 2030 – have in common a citizen-centred approach that is the essence of governance.

While good governance is a Sustainable Development Goal in its own right (SDG 16), the active role of government is instrumental to every other SDG. For this reason, it is necessary not only for each country to reflect on its current SDG status and progress but to analyse how government-led efforts can be improved and accelerated.

Generally speaking, institutions refer to established rules that govern human behaviour (Ousman et al., 2011). North (1990) offers the following classical definition: “Institutions are the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction. Inclusive institutions level the playing field and provide all citizens with opportunities to participate in and shape public policy (Acemoglu and Robinson, 2012). As Hamdok (2003) notes, even the few African countries that have made significant economic growth and development progress over the past few decades have often found their changing fortunes threatened by governance shortcomings.

As Ellett (2015) wrote, it is not uncommon for the judiciary in African countries to be politicised, with the effect that the legitimacy of the courts as institutions of governance and the rule of law are seriously weakened. There are documented cases where, even in the context of a relatively successful democratisation process, the legislature’s performance in terms of its oversight and legislative functions has

steadily declined as a result of executive co-optation (Lindberg, 2014).

According to Schoeman (2012), the importance of leadership (in the public sector) stems from leaders' ability to exert a far greater influence than most other people because of the greater authority, power, visibility, and easier access to resources their more senior role affords them. Implementation leadership, which speaks to a commitment to lead by example or inspire and support others to live by rules, should also be part of the package (Geldenhuys, 2010).

Institutional development in the African context will benefit from a new crop of ethical and visionary leaders who can serve as institutional entrepreneurs to champion the creation and implementation of good institutions (Moti 2019). That is particularly the case at the regional and continental levels. Even with the prospects of a reformed political culture at the domestic level, the Pan-African agenda still has to be carefully balanced with specific national interests, given the diversity of African states.

Some pundits caution that leadership is a necessary but insufficient condition for the successful implementation of good governance programmes (Balogun, 2000). The two Agendas are flexible instruments and living documents to be adjusted according to the exigencies of the time (Cole, 2017). When we can locate the Charter in the larger context, we can appreciate its value to the governance and democracy efforts in the continent (Latib, 2010).

The Charter is the main instrument for transforming the continent into capable developmental states. It provides generic guiding values and principles of African Public Service and defines a code of conduct for public servants (Kobia, 2011). The Charter's

relevance and significance in augmenting the implementation of the Agenda 2063 and the SDGs by providing a broad framework for enhancing good governance by reinforcing state capability among African countries are well established (Busieka, 2018).

## **The Tools and Mechanisms for Implementation of Governance and Public Administration Reform**

Once the Charter was ratified and activated for domestication by State Parties, it became necessary for the AU to develop policies and operational procedures for assessing and reporting on the implementation. Each State Party was obligated to implement the Charter and submit quarterly reports to the STC 8 Secretariat. Biennial execution reports based on achieved objectives per the plan of action would then be submitted to the AU (Kobia, 2011).

The African Governance Architecture initiative of the AU Commission is predicated on the notion that the AU has established many initiatives in governance, and these need a coordination framework to enhance overall impact and collaboration among relevant AU organs, RECs, and institutions. A key anticipated element is dialogue and discussion continentally and regionally to establish values and norms. As this process unfolds, the dialogue would include a discussion on established treaties and declarations, the gaps that exist, and how these commitments can be more effectively implemented (Latib, 2010).

Article 23 (2) (f) of the Charter obligates the AUC, specifically the Department of Political Affairs, Peace and Security, to mobilise necessary resources to support State Parties to strengthen their institutional capacities for

implementing and reporting on the Charter. The capacity-building programme will ensure objectivity uniformity and generally set and maintain high standards of reporting on implementing the Charter by State Parties to the AUC. This programme has a build-in development component for peer learning and exchange among State Parties and further entreat other AU member States to ratify the Charter and join the ranks of State Parties.

Following its entry into force, under Article 23 (2) of the Charter, the AUC held the First Conference of State Parties (COSP) to the Charter on 12 – 13 November 2018, in Nairobi, Kenya. The main objective of the First COSP was to formally constitute the COSPS as a mechanism for fostering cooperation and solidarity among States Parties in the implementation of the Charter. The First COSP deliberated, among other things, on:

- a. The Guidelines for reporting on the implementation of the Charter
- b. Appropriate strategies for the universal ratification of the Charter
- c. Planning for the COSP going forward

The COSP held its second session (COPS II) via videoconference from 27th -29th April 2021. The COPS II deliberated, among other things, on:

- a. The Rules of Procedures of the Conference of State Parties
- b. The State Parties' Assessment Tool (SPAT)
- c. The Election of the First Bureau of Conference of State Parties

Upon adopting the Guidelines for reporting on the implementation of the Charter by the COSP I, the AUC held a capacity building Seminar for States Parties on 20-22 May 2019, in Dar Es Salaam, United Republic of Tanzania. The main objective of the seminar was to strengthen the capacity of States Parties to deploy the guidelines for reporting and facilitate a platform for peer review and learning among States Parties on implementation and domestication of the Charter. Participants at the capacity-building seminar tasked the AUC with the responsibility to, in consultation with State Parties, develop a methodological guide with precise indicators to assess the effective implementation of the Charter. In this regard, the secretariat of the Conference of States parties committed that it would prepare a questionnaire to facilitate the submission of reports by State Parties.

## Implementation Arrangements/ Roles and Responsibilities

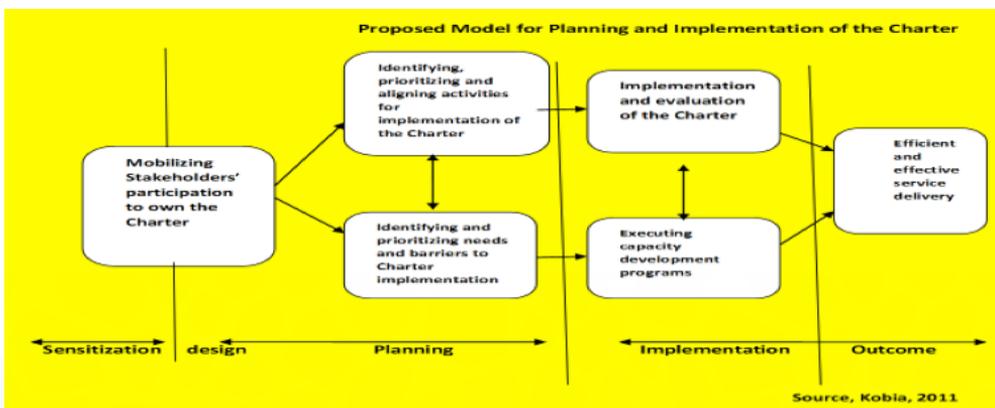


Figure 2: Source Kobia, 2011

Figure 3 shows the inter-relatedness between the four components (sensitization, planning, implementation, and outcome) in the above sketched participatory approach to implementation of the Charter. It is important to note that there was a need to develop the capacity to deal with each of the four components/phases (Kobia, 2011).

## Reporting Guidelines on the Charter Implementation

Under Article 24.1 (Chapter VI) of the Charter, State Parties should provide biennial reports to the AUC on the legislative or other relevant measures taken to give effect to the principles and commitments of the Charter. The biennial reports are submitted to the AUC, which then prepares a synthesis report for submission to the AU Assembly through the Executive Council and the Conference of State Parties. After consideration by the AU Assembly, appropriate action is taken to address any issues raised in the report. Reporting guidelines were developed in early 2018 to provide a framework for State Parties to prepare and submit reports as envisaged under Article 24 of the Charter. The guidelines provide structure, scope, and methodology for preparation, submission, review, and follow-up of implementation, including the measures taken to implement the provisions of the Charter at the national level.

Reporting guidelines for charters and conventions are necessary as these enable consistent data to be collected from across a diverse range of countries and jurisdictions with different political systems, forms of government, and institutional and administrative arrangements for the delivery of services to constituents across social and cultural divides. In developing the guidelines,

a preliminary review of six existing reporting guidelines for AU and UN charters and treaties was conducted, which showed no single universally adopted format for reporting guidelines. However, there are standard features and threads running through the various reporting instruments.

The guidelines for reporting on the African Charter on Human and Peoples' Rights (ACHPR, Guidelines for Periodic Reporting, 1989) more clearly lays down the philosophical basis and rationale for state reporting on charters that they are party to. That includes compliance with relevant provisions bearing in mind that a Charter is only a beginning of a process in the "essential exercise of promotion, protection and restoration" of the conferred rights and duties and that "implementation of those instruments, by word and deed, is of parallel significance and is equally required (ACHPR 1989, para. 1)".

Reports facilitate a "channel for constructive dialogue" between the states and the AUC on relevant issues: "the states being invited to report on the measures they have adopted, and the progress made .... as well as indicating any factors and difficulties impeding the degree of fulfilment" (ACHPR 1989, para. 2). The AUC, "on the other hand, furnishing suggestions, advice and other assistance on satisfying the requirements of the Charter" (Ibid). State Parties' reports also facilitate evaluation on compliance and implementation of the relevant Charter. This then informs and shapes constructive and open dialogue between the AU Organs, Institutions and RECs, State Parties, and other national stakeholders.

Box 1: List of documents reviewed in developing the reporting guidelines for the Charter:

- African Charter on Values and Principles of Public Service Administration, African Union
- Rules of Procedure of The African Governance Architecture (AGA) and the Reporting Guidelines for the African Charter on Democracy, Elections, and Governance (ACDEG), African Union;
- African Committee of Experts on The Rights and Welfare of The Child, African Union;
- State Party Reporting Guidelines for Economic, Social and Cultural Rights in The African Charter on Human and People’s Rights (Tunis Reporting Guidelines), African Union;
- Guidelines for National Periodic Reports, African Union Commission on Human and People’s Rights;
- Guidelines on Expanded Core Document and Treaty-Specific Targeted Reports and Harmonised Guidelines on Reporting Under the International Human Rights Treaties, United Nations;
- Guidelines to Support Country Reporting on The Sustainable Development Goals, United Nations;
- Sustainable Reporting Guidelines (2000-2011), Global Reporting Initiative;
- The Conceptual Framework for General Purpose Financial Reporting by Public Sector Entities (2013), International Public Sector Accounting Standards Board

In terms of the Charter reporting guidelines, the State Parties’ reports should be well-structured and concise and should be structured as follows:

- Part I: Description of institutional and administrative arrangements for reporting
- Part II: General description of the situation concerning the Charter principles
  - Country background
  - Overview of Charter implementation
  - Observations concerning the implementation of the Charter
- Part III: Description of the situation regarding specific provisions of the Charter
  - Duties of public service and administration
  - Code of conduct of public service agents
  - Rights of public service agents
  - Management and development of human resources

The guidelines specify that this shall not be excessively lengthy even where complex situations are described. Where possible, the initial report should not exceed 80 pages, and periodic reports shall be no more than 40 pages, excluding annexes and attachments. There is also a requirement that reports and supporting documentation be submitted in soft and hard copies.

## The State Party Assessment Tool (SPAT) on the Charter

The AUC, in collaboration with Technical Experts from State Parties and support from a consultant, developed a State Parties Assessment Tool (SPAT) that, concisely and expeditiously, evaluates and rates the status of the State Parties' implementation of the Charter. The SPAT is a self-assessment tool that complements the Reporting Guidelines adopted at the First COSP and is designed to simplify, standardise and add substance to the reporting process by using specific performance indicators to assess if and how well the Charter has been implemented.

The SPAT is specifically designed to conduct an objective assessment of how effectively State Parties are implementing the Charter and provide a quantitative score of the results of such an assessment. The tool is adapted from and based on several internationally developed organisational capacity assessment (OCA) tools for international development programmes. It has been designed to assess and score the State Party's performance in implementation of the five chapters (34 articles) of the Charter, which

are: Duties of public service and administration (Chapter II); Code of conduct of public service agents (Chapter III); Rights of public service agents (Chapter IV); Management and development of human resources (Chapter V); and Legal, regulatory and incidental aspects (Articles 3 and 23).

Compliance indicators have been identified and developed for each of the Articles' underpinning principles. The assessment is based on an allocation of points against evidence (documented or otherwise) which would indicate whether or not the articles and principles are being implemented. The scoring is based on a three-point graduated scale as follows:

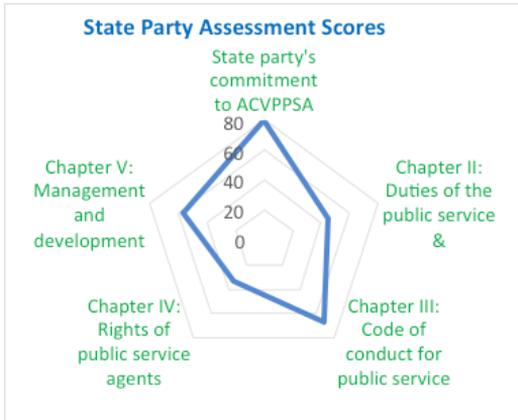
- Zero (0) point is allocated where there is no evidence to support compliance with the indicator;
- One (1) point is allocated where there is partial evidence of compliance or progress towards attaining compliance (such as draft documents, legislative bills, white papers, and the like).
- Two (2) points are allocated where there is complete or adequate evidence of compliance with the indicator (such as policies, legislation, and court judgements).

The total score is the mark for each chapter, and this, in turn, is added to derive the overall assessment score for the State Party. All scores are colour-coded to provide an easy visual of areas of compliance and those that require attention. An analysis of the final results can be plotted on a radar chart, as shown in Figure 3 below.

Ranking Definition/ Description	Score
1. There is no evidence of any efforts or intent to support the attainment of the indicator	0
2. There is partial evidence of efforts and actions being taken (draft documents, legislative bills, white papers, etc. towards the attainment of the indicator	1
3. There is adequate and satisfactory evidence that the State Party has attained or achieved the indicator	2

Figure 3

The SPAT is structured on four Excel spreadsheets that are completed electronically. The first spreadsheet contains the guidance note; the second is the country’s identification and profile information; the third is the assessment score chart against the criteria and prescribed indicators; the last is a documentation checklist to support the scores.



The SPAT may be conducted in either one or two stages. In a two-stage process, the first stage will be an internal self-assessment process undertaken by the State Party on its own. The second stage will be a “facilitated self-assessment” initiated by the AUC to validate the results and derive the final SPAT scores. As provided in the Reporting Guidelines, a multi-stakeholder National Institutional Framework coordinated by the Ministry responsible for the Public Service and Administration will complete the SPAT. The assessment will include developing an action plan which highlights priority areas to be addressed either by the state party or with the help of the AUC.

The AUC’s support to State Parties includes organising detailed briefings and training on completing the SPAT and the related administration and implementation processes. This intervention includes training workshops, user manuals, and online learning resources

(videos and webinars). The State Party will then be given a specified time to complete the initial assessment and submit the completed assessment sheets and narrative report to the AUC. The AUC will arrange for the reports to be reviewed by a panel of technical experts who may, on a case-by-case basis, recommend a further facilitated review and validation of the initial self-assessment. The re-assessment will be facilitated by independent technical experts who prepare a final country assessment report.

It is important to note that the SPAT is not a test of attainment and does produce a “pass” or “fail” result. Rather, it is intended to help State Parties to identify areas in which they are not meeting their commitments and obligations in fulfilment of the Charter provisions and thus enable them to take informed corrective action.

The SPAT also helps draw out lessons, consistently and uniformly, to be shared among State Parties to improve and enhance the delivery of public services and administration and firmly positions the AU Member States to realise the SDGs and Agenda 2063 vision.

The SPAT is not the whole report but only an essential component of the report. A detailed narrative report should be provided, as specified in the reporting guidelines, providing an analysis of the results produced by the SPAT and including an action plan on how identified shortcomings will be addressed by the State Party and any support they may require from the AUC. The advantages and benefits of using this assessment tool include: it is much easier and quicker for state parties to use on their own or under facilitation; it provides objective, uniform, and consistent information that is suitable for making cross-comparisons; it provides quantitative results

which can be aggregated, extrapolated, ranked or tracked over some time; and the SPAT can be converted for online completion and linked to a database into which reports can be uploaded and stored.

In terms of the resolution of COSPII, the SPAT implementation will be piloted in five African countries: Tanzania, South Africa, Kenya, Namibia, and Cameroun. Sensitisation and training will be provided to the State Party's National Institutional Framework to conduct the assessment and report on the findings. Based on the practical experience gained and peer learning derived from the pilot exercise, the tool may be further modified (and the indicators revised as necessary) before being adopted for broader general use within the AUC system.

The AUC conducted two capacity-building workshops in conjunction with the African Management Development Institutes' Network (AMDIN) in Maseru, Lesotho, and Dar Es Salaam, Tanzania, in October 2021. These workshops were designed to train officials who will, in turn, train members of multi-stakeholder National Institutional Frameworks (NIF) coordinated by the Ministry responsible for the Public Service and Administration.

Reporting on the implementation of the Charter will most likely face the same challenges of fulfilling reporting requirements for international treaty bodies such as the AU and the UN, which include multiple and duplication of reporting. This gives rise to such challenges as delays in report submission and non-submission of reports. The Guidelines on Expanded Core Document and Treaty-Specific Targeted Reports and Harmonised Guidelines on Reporting under the International Human Rights Treaties of the UN attempts to address

this challenge by making provisions for a more coordinated approach to reporting activities to standardise varying reporting requirements.

Given the nature of public administration and especially the multiple stakeholders involved, it is essential to articulate in the guidelines a reporting process that is both consultative and participatory to ensure that reports generated are comprehensive, accurate, and representative. As with any reporting system, the quality of reports generated is determined by understanding what is required. Reporting guidelines must be simple to comprehend with limited external facilitation but should be sufficiently detailed to gather and convey all relevant and meaningful information. Training should be provided to ensure state parties can gather and disseminate the required information.

## **Deployment of Technical Standards, Questions, and Indicators**

The reporting framework is a technical process that has built-in objectivity. The reporting framework represents a harmonised approach to effective public sector transformation among participating States. This means that the framework establishes an overarching perspective of the desired public sector transformation and the pathway to get there. The framework allows for the reality that countries are at different levels of development, with different levels of capacity, resource endowment, needs, and priorities.

This approach ensures that individual countries can take action that suits their circumstances yet still fall within the framework. The framework is defined by three scales: standards, questions, and Indicators. Standards are set out in the

African Charter and approved by African countries, individually or collectively, about ‘how’ they transform the public service and administration. State Parties will not be marked against whether they adhere to these or not. The purpose is to ascertain their familiarity with these standards and codes and the extent of their application.

**Conceptual Framework for the Charter Implementation**

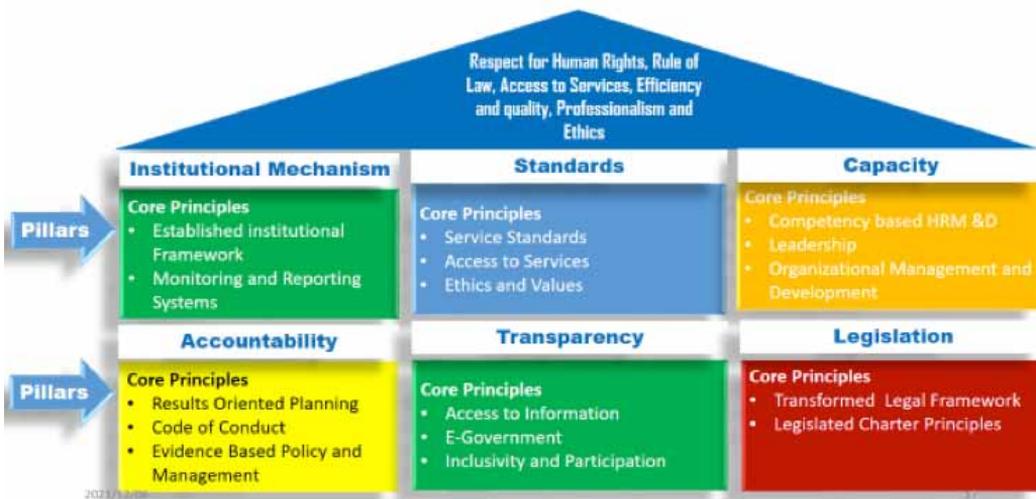


Figure 5

Questions serve to focus on what the country has done concerning the objectives and standards, how the country has implemented the standard, and what results. Indicators are the type of evidence expected in responses and serve to highlight aspects of the objective and standard that are generally recognised as measures of performance and results. The diagram below describes how the standard is segmented then a question is raised with an indicator responding to what the State Party has done to achieve this standard.



Figure 6

## **Reflection on Challenges, Lessons Learnt, and Way Forward**

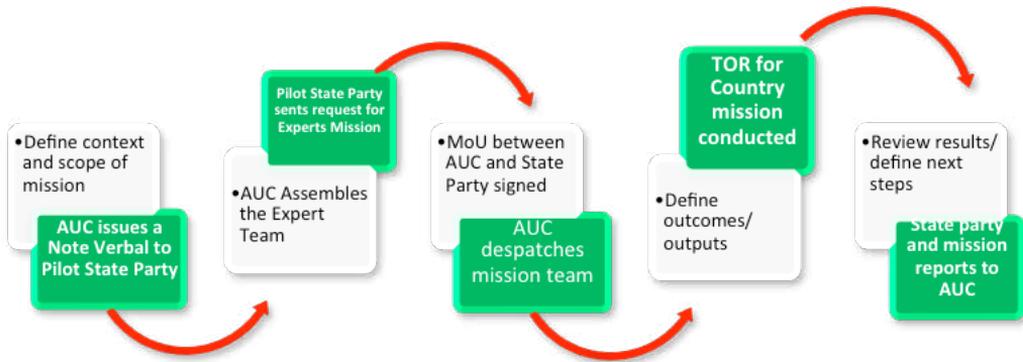
The challenges of globalisation of standards and principles include the development of universal or regional codes of practice for evaluative purposes and encouraging countries to change and conform to global or regional standards (Alexander, 1999: 2). The absence of enforcement mechanisms in the Charter continues to present a significant challenge, however, and it serves as a reminder of the authority limits of the AU. However, this AU constraint should not detract from the value of the Charter to the realisation of the good governance objective. It should be recognised that the AU edifice is an evolving process. It will take much more time for the Member States to agree on giving up elements of their sovereignty, including the right to establish their standards and practices for public service delivery (Latib, 2010).

An essential exercise in encouraging the AU Member States to embrace the Charter is to find out what impact implementation of the Charter will have on them. Following a discussion on the Charter at the 5th Conference of Ministers of Public Service, the Executive Council of the AU asked the Member States to update the Charter by 'going deeper' and enriching the review process by sharing country perspectives on the reform process.

The Charter provides State Parties with an opportunity to deepen participation in the African Peer Review Mechanism (APRM) and perhaps encourage a movement towards strengthening the elements of peer review that are not confined to the Heads of State and Government (Latib, 2010). Following the call by COSP II for the capacity building of States Parties in the effective use of the SPAT and for the submission of the first report on the implementation of the Charter to the AUC by January 2022, the AUC have designed capacity building seminars and Pilot country programmes. These will enable States Parties in general and Pilot countries, in particular, to acquire requisite competencies and skills development to better prepare timely reports on the implementation of the Charter.

After each pilot mission, a report will be prepared to detail the implementation process followed and any identified challenges together with recommendations on improving the efficiency of the SPAT Tool. The report will inform necessary adjustments to the implementation process during subsequent missions. After the pilot programme in all five pilot states (namely Namibia, Cameroon, Kenya, South Africa, and Tanzania), a synthesis report will summarise the key findings, the take-away from the whole pilot exercise, and any formal or informal feedback obtained from the participants.

Figure 7: An Illustration of How the Pilot Process Will Unfold



Based on the individual mission reports and synthesis, adjustments, where need be, will be made to the SPAT tool and the implementation process, as well as an update of the guidelines to be issued for the rollout of the SPAT implementation to other member states. This exercise will bring the pilot programme to a conclusion to pave the way for replication of the exercise among other State Parties.

## Conclusion

The adoption, ratification, and subsequent implementation of the Charter by State Parties is widely viewed as a fundamental achievement that will form the basis for significantly improving the good governance climate in Africa. However, it has to be acknowledged that like other similar instruments, the effectiveness of the Charter lies in its holistic implementation and in the translation of its provisions to assure effective public service delivery and mapping a pathway to a sustainable good governance ecosystem. The introduction of the reporting guidelines and the SPAT is an essential innovation for the African Union and State Parties to energise the implementation of the Charter and hold the Member States to a higher degree of accountability.

The SPAT is a work in progress. The planned pilot projects will provide rich data, and a better understanding of the opportunities and challenges implementation activities will have to grapple with going forward. The rollout of the SPAT will be coupled with outreach activities to entreat more African Union Member States to accede to the Charter and be part of the SPAT accountability system. Ten years after the Charter was ratified, securing only twenty accessions is a slow and entirely unacceptable state of affairs.

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# Social Contract Theory and the Albatross of Public Service Delivery Deficit in Nigeria

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## Abstract

*Nigeria in more than six decades of post-colonialism has been trapped in the quagmire of poor public service delivery. This article examines this scenario in the light of Social Contract theory as it relates to the 'agreement between citizens and their governments that the former will obey the laws of the latter in exchange for protection and other services'. It argues that the relationship between the citizens and successive governments over the years have been in the overall selfish interest of the political leaders at the expense of service delivery needs and expectations of the majority citizens. This is evidenced in the failures of government at different levels to deliver public services effectively and efficiently in the interest of the majority citizens. This article concludes that a people-centric governance process is urgently needed to address these deficits. This approach would result in the enthronement of responsive and responsible governance model committed to obeying the Social Contract.*

**Keywords:** Inclusive Governance, Service Delivery, Social Contract, Weak State.

## Introduction

The Social Contract theory explains developments in the beginning where man lived in the state of nature. Hobbes (1651) exposition in the 'Leviathan' revealed an absence of government and law to regulate existence, where the society was characterized by insecurity, hardship, struggles and oppression. This state of living prompted them to come together and enter into two agreements. These are 'Pactum Unionis' (where people sought protection of their lives and property) and 'Pactum Subjectionis' (where people united and pledged to surrender their freedom and live under an authority) (Lasker, 2013).

Other versions of the Social Contract, such as treatise by Locke (1689) and Rousseau

(2007) highlighted this form of contractual relationship between the authority and the people in the interest of the whole society. The implication of this relationship, especially in the modern era is that such authority (the state) assumes a fundamental and supreme role in the society. The institution of the state which is the government thus, performs basic and traditional functions such as maintaining law and order, providing security, providing public services and guiding the community in terms of managing the economy and conducting foreign relations. In return, the people accept to live under the state's supremacy and tutelage, obey the laws and continue to contribute to the state-building processes.

It, therefore, becomes imperative to note that public service delivery is part of the fundamental responsibilities of any

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government (government as agency for state administration) given the social contract perspective. Van der Walle and Scott (2009) argue that 'it makes the state visible to its citizens, often forming the principal tangible link between government and their people'. Osborne (2010) in similar vein asserts that 'service delivery pre-supposes a relationship between policymakers, public administration and the public'. This relationship has been conducted through the governance processes of different societies from the ancient to the modern era and through the government of these societies. Governance in this context, simply refers to 'the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public services' (World Bank, 2007a). Fukuyama (2013:3) defines it as the 'ability to make and enforce rules, and to deliver services, regardless of whether that government is democratic or not'. It is thus, imperative to note here that government is the major actor in governance.

In Nigeria and elsewhere, the public sector is expected to deliver quality public services to the citizens through the governance processes of different levels of government. This entails the provision of basic social services and amenities to the people in an expected manner without interrupting other business of governance (Nash & Nash, 2003). The concept of service delivery further exceeds basic delivery of services and includes the agreements between government agencies and the people for effective and efficient provisioning thereof. This forms the basis of recent paradigms in (P) public (A) administration discourses. For instance, the New Public Management (NPM) approach focuses on 'citizens as customers' (Hughes, 2003; Gulltekin, 2011:350). Whereas the New Public governance

underscores a 'citizen-centric' approach which is characterized by improvement in civil service administration, participatory and accountable decision-making process, focus on results rather than inputs etc., (Osborne, 2006; 2010; Drenhardt & Drenhardt, 2011; Chakrabarty & Chand, 2012). However, this responsibility can be complemented by the private sector.

This article focuses on the poor level of public service delivery in the more than sixty years of independence in Nigeria. This is interrogated in view of the assumed relationship between successive governments and the citizens. While the government is expected to provide public services both in expected quantity and quality, the citizens on their own part accept to live under the laws, support public policies and the governance processes. The concern is whether the volume and quality of public service delivery complements the demands, preferences and expectations of the largely expanding population. To achieve 'good enough service delivery', the article argues for a people-centric governance process which would result in the enthronement of responsive governance in line with the Social Contract.

The article is organized into seven sections. Section one is the introduction and is already undertaken here and provides some background reflections on the subject matter. Section two is the theoretical analysis. Section three focuses on demystifying service delivery. Section four discusses public service delivery deficit with particular focus on four key areas- healthcare, electricity, water supply and security. Section five discusses poor governance outcome. Section six discusses the imperativeness of people-centric governance and section seven is the conclusion.

## Theoretical Analysis

This article considered a combination of two theories in explaining the Social Contract-service delivery deficit nexus. The basic theoretical framework is the Social Contract theory and complemented by the State Fragility theory.

### The Social Contract Theory

The Social Contract Theory is applied to explain the normative agreement between the Nigerian State and citizens. The concept of Social Contract was articulated by classical state philosophers such as Hobbes (1651), Locke (1689), Rousseau (1762) and has been expanded upon by modern scholars like Rawls (1971) and Gauthier (1986). More recent discussions on the concept include Hickey (2011), Weale (2013), and Bruner (2015). Friend (2006) defines Social Contract as ‘the view that person’s moral and/or political obligations are dependent upon a contract or agreement among them to form the society in which they live’. Moussa (2016:17) views this agreement as ‘actual or hypothetical’ between the ruled and their rulers defining their rights and duties. The Social Contract is therefore, the entirety of explicit or implicit agreements between all relevant societal groups and the sovereign (Loewe, Zintl & Houdret, 2021:3).

The UNDP and NOREFF (2016) regards the Social Contract ‘not only as a utilitarian transaction, but a conscious effort to achieve an egalitarian governance system, while still respecting and guaranteeing the most fundamental individual freedoms and rights’. These articulations simply portend a normative agreement fundamentally defined by consent. Murley (1998) holds that ‘by forming the social contract, we enter into a societal agreement that requires we surrender

some of our freedoms enjoyed in the state of nature in return for political rights and government services...’ Primeval thoughts about social contract revealed that this form of collective agreement transforms the human realm from the natural state to an organized society where the people should see what is best for them and this should be pursued by the state (Moussa, 2016). Loewe, Zintl and Houdret (2021) contend that the term has been applied in several contexts. This article applies the term in explaining the normative agreement between the Nigerian State (represented by successive governments) and the citizens. The former upon the constitution of the state assumed a fundamental and supreme role and is expected to perform basic traditional functions of government which includes the delivery of public services, while the latter accepts to live under the state laws and hold legitimate expectations. This level of acceptance fundamentally confers legitimacy of governance. McLoughlin (2014:2) identifies the provisioning of these public services as a key source of state legitimacy.

### State Fragility Theory

The State Fragility Theory is applied to explain state weakness in delivering public services in line with the Social Contract. The concept of ‘fragile state’ or ‘weak state’ has been widely used by international donor agencies such as the Organization for Economic Cooperation and Development (OECD) and the World Bank since the past two decades to designate unstable and susceptible countries that cannot meet minimum standards set by major donors of development aid. McLoughlin (2014) indicates that there is no internationally agreed definition of the term fragile state. Nay (2013) describes state fragility as an overarching concept used by many scholars and analysts

to depict countries where legitimacy, authority and capacity of state institutions are dramatically declining, weak or broken. However, most development agencies define state fragility as apparent failure of the state to perform functions necessary to meet citizen's needs and expectations. The United Kingdom's Department for International Development (DFID) and OECD focus their definitions on 'service entitlements' (Stewart & Brown, 2009). For instance, the OECD defines state fragility as 'unable to meet population's expectations or manage changes in expectations and capacity through the political process' (OECD, 2008).

The DFID similarly defines it as 'those where the government cannot or will not deliver core functions to the majority of its people, including the poor' (DFID, 2005). However, Canada's Country Indicator for Foreign Policy Project definition for fragile states extends beyond service entitlements (Stewart & Brown, 2009), to include those states that lack the functional authority to provide basic security within their borders, the institutional capacity to provide basic social need for their populations, and/ or the political legitimacy to effectively represent their citizens at home or abroad (CCIFPP, 2006). These shortcomings are therefore, encapsulated in the weaknesses of a state to meet up with the needs and expectations of the citizens. Oni and Faluyi (2020:68) argue that 'the inability of a state to meet up with its responsibilities amounts to weakness'. They further maintain that 'weakness signifies the fragility of a state' (Oni & Faluyi, 2020).

McLoughlin (2014) contends that at a very broad level, fragility is the result of a dynamic interplay between internal and external factors. McLoughlin, further grouped the causes and characteristics of fragility into four. These are: structural and economic factors; political

and institutional factors; social factors; and international factors. From the foregoing, the major attributes of a fragile state may include, weak government, poor provision of public services, widespread corruption and criminality and sharp economic decline etc. These attributes are also revealed in the Nigerian state.

This article, therefore, applies the State Fragility theory to explain the weakness of the Nigerian State to deliver public services to the citizens. These shortcomings have accounted for poor service delivery over the years. In the past four years, the Nigerian state has scored high on the Fragile States Index. According to the Fragile States Index (2021) powered by The Fund For Peace, Nigeria was ranked 12 out of the 179 assessed countries with a score of 98.0. By this ranking, the country was categorized on Alert status. Scores for the past three years were 97.27; 98.50; and 99.91 for 2020; 2019 and 2018 respectively.

This article finds an inextricable relationship between the Social Contract that exists between the citizens and the State as represented by successive governments. However, the concern borders on the capacity of the State to meet up with the service delivery needs and expectations of the teeming population in line with the Social Contract.

## **Service Delivery is not a Myth**

The concept of public service delivery has of recent gained much global attention and constitutes the major object of public sector reforms and academic discourses especially, in the mainstream Public Administration literature. Much of the attention also underscores recent (P) public (A) administration approaches notably, the New Public Management, Public governance and

the New Public Service as earlier identified. Agboola (2016:8) notes that 'the concept of service delivery and its application to development is a dynamic one'. This implies that it is flexible and not limited to a particular domain. For instance, while the economic angle spells getting goods and services to customers by service providers in a way that meets their expectations. The political angle follows from the former with emphasis on efficient delivery of public goods to the people in a way that meets their expectations. World Bank (2010) insists that the concept of service to customers and society rests on the ethical view of business practice.

The term 'public services' encompasses a wide variety of goods and services provided to the population, which address different aspects of societal and individual life (OECD, 2019). In this vein, Oronsanye (2010:31), defines public service delivery as 'the process of meeting the needs of citizens through prompt and efficient procedures'. This entails a process of positive interaction between the government and the citizens and the deployment of efficient means to result in meeting the timely needs of the latter. Fagbemi (2006) and Okafor, Fatile and Ejalonibu (2014) underscore the role of interaction in the public service delivery process; and further view service delivery as the outcome of this process. In view of this, Yayale (2004:12) rightly observes that service delivery as a concept implies that 'there is a contractual relationship between the public (citizens) and service provider (government agency) which obliges the latter to render service to the former in the most satisfactory manner'. Service delivery is therefore, part of the contract between the state and the citizens in which the former provides the needs and expectations of the latter in an effective, reliable, timely and predictable manner. Coopers (2014:9)

identifies the seven basic objectives of service delivery as 'speed, engagement, responsiveness, value, integration, choice and experience'.

The public administration system of various countries, therefore, serves as the machinery for delivering such public services. Okafor (2018:6) notes that 'governments all over the world, irrespective of systems and practices are tied to their respective public administration system for the delivery of public services to the citizens'. In Nigeria such public services include healthcare, security, education, infrastructures (social and economic), social welfare, housing, etc., and all other services that fall within the constitutional mandate of public administration at the three levels of government. From the foregoing, this article deduces the following (i) service delivery is part of the social contract between the state and the citizens (ii) service delivery has a place in the role of the state (iii) service delivery is part of the citizen's right (iv) it is provided to all citizens through the public administration system.

## **Service Delivery Deficit**

The literature on public service delivery in Nigeria is replete with negative descriptions. Scholars have strongly argued that public service delivery in Nigeria is 'poor', 'weak', 'shoddy', 'deplorable', 'chaotic', 'unsatisfactory', 'at lowest ebb' etc., (Okon, 2008; Darma & Ali, 2014; Oyodele, 2015; Okafor, 2018). The concern on poor public service delivery has been on the front burner in the past five decades. For instance, part of the reasons adduced by the military junta to seize political power in 1983 was the poor level of public service delivery and the poor state of some public service institutions, such as the health, education etc. More than twenty years later, former President Olusegun Obasanjo in

his 1999 inauguration speech decried the poor state of public service delivery and the negative and corrupt attitude of public servants. According to Obasanjo (1999) 'Nigerians have for too long been feeling short-changed by the quality of public service, government officials became progressively indifferent to propriety of conduct and showed little commitment to promoting the general welfare of the people and public good'. This article identifies the basic areas of public need and expectations as healthcare, electricity, water supply, education, security etc. The article however, draws instances from selected cases. These are the healthcare sector, electricity power, provision of pipe borne water and security.

In the healthcare sector, there has been continuous decline in the delivery system. Okafor (2016:1) argues that unavailable and poor services over the years have resulted in frustrating and helpless consequences on the majority poor whereas, the upper class and top government officials resort to outbound medical tourism. The Tide Newspaper (2020) reported that the country's healthcare system currently ranks 186 out of 197 sampled member countries of the United Nations. Part of the reason is poor and corrupt government attitude towards funding. For instance, budgetary allocations to the sector remain far below the World Health Organization (WHO) and African Union (AU) recommendations of 11% and 15% respectively, of a country's Gross Domestic Product (GDP). Sources from Budget Office and Federal Ministry of Finance (2021) simply reveal that less than 6% of the total budget was allocated to the health sector annually between 2015 and 2021. The implications of this scenario are: the bulk of health expenditure (more than 70%) is borne by households (Okafor, 2016:10) and the continuous loss of substantial number of

trained and experienced medical personnel to other countries, especially, the United States of America, Europe, South Africa, etc.

The electricity power sector has gulped trillions of naira from 1960 to date with no record of improved service delivery. Ebhota and Tabakov (2018:12602) observe that power supply in the country is characterized by low accessibility, epileptic and poor transmission and distribution. This has negatively affected socio-economic activities in the country and continues to stifle performances in the major sectors such as manufacturing, agriculture, mining, entertainment etc., and in household consumption. Study by Ebhota and Tabakov (2018:12608) further show that in 2017, only 55% of the population had access to electricity with an average household consisting of five people. Despite all the reforms in the power sector, such as the shift from the centralized monopolies to the unbundled structures no reasonable level of service improvement has been recorded. For instance, from 2021 to the present, the generation, transmission and distribution capacity have not gone beyond four thousand (4,000) megawatts per month. This is for an estimated population of more than two hundred million people, with an estimated number of more than 40 million households.

The story is not different in the area of portable water supply. Portable water supply from public sources account for less than 35% from 2014 to 2019 (World Bank, 2019). Most of the water supply for household use is from individual household piped sources through boreholes. Other sources are surface water, especially in the rural areas. A study by Water Aid (2012) revealed that it will take Nigeria more than thirty years to achieve the Millennium Development Goal (MDG)

water target of 75% access by the population. This is in view of government poor attitude towards the provision of portable water which translates to poor performance of public water corporations across the country. The water corporations currently operate below 30% capacity.

The security challenges in the country have escalated in the last ten years. Aning (2016) contends that most of the security challenges have emerged partly as a result of multiple socio-economic injustices, including but not limited to marginalization, social inequality, political exclusion, corruption, economic deprivation, unequal allocation and distribution of state resources, among others. The security challenges have taken several dimensions such as the terrorist activities of the Boko Haram Sect, armed banditry, kidnapping for ransom payments, pastoralist-farmers clashes, insurgency, armed robbery etc. These activities have not only claimed many lives but have continued to pose great threats to security of lives and properties. For instance, in the North-western part of the country, more than 1000 students from different schools have been kidnapped in the past twelve months by armed bandits.

Ransom running into hundreds of millions of naira has been paid by both governments and parents to secure release of some students while others have also been killed or still in captivity. Recently, the United Nations Children's Fund (UNICEF) (2021) revealed that as the school year begins, at least one million school children would be left behind as they are afraid to return to school due to insecurity. However, there are state institutions and agencies saddled with the responsibility of providing security. They include: the Nigerian Army, Police Force, National Intelligence Agency (NIA),

Department of State Services (DSS), Defence Intelligence Agency (DIA), Nigeria Security and Civil Defence Corp (NSDC) and other paramilitary agencies. Yagboyaj and Akinola (2019:5) lament that despite all these, hardly can the lives and properties of the generality of the ordinary citizens, in particular be said to be secured.

The police force was established to primarily ensure internal security of life and property. However, the police has underperformed in recent years. For instance, in 2017, the International Police Science Association (IPSA) ranked the Nigeria Police 127th out of the 127 countries assessed in low level of manpower and capacity (Vanguard, 2020). Also in 2019, the World Internal Security and Police Index (WISPI) ranked the NPF 127th in four domains of internal security such as capacity, process, legitimacy and outcomes (WISPI, 2019).

## **Service Delivery Deficit as Poor Governance Outcome**

World Bank (1992) basically defines good governance as 'the manner in which power is exercised in the management of a country's economic and social resources for development'. This broad definition primarily places emphasis on the use of political authority to create and sustain conducive economic environment, ensuring equitable distribution of resources, sustaining responsive and accountable leadership. UNDP (2011) also views good governance as 'democratic governance' and refers to governing systems which are capable, responsive, inclusive, and transparent'. The emphasis here is also 'democratic governance' and entails having in place strong, transparent and dependable government. It further entails inclusive political participation and accountable

leadership. Good governance simply portrays good exercise of political power to achieve desired public interest. It also follows that good governance is a means to an end, where the end is the sought-after public interest such as the provision of public services by the state. Poor governance is the reverse of good governance and encompasses a variety of situations in the negative such as lack of transparency and accountability, corrupt political leadership, political exclusions, marginalization, insensitivity to the needs of citizens etc.

Central to the debate on why good governance has remained elusive in the country is the strong allegation of persisting weak and corrupt political leadership. Ozohu-Suleiman (2016:82) argues that corruption more than any other 'single factor or combination of factors' constitutes the biggest challenge to good governance and sustainable development in the country. Previous studies also corroborate this position (Hamid, 2008; Kalama, Etebu, Charles & John, 2012; Ogbeyidi, 2012).

The desire for primitive accumulation of wealth through public means and the penchant to remain in power results in the 'I don't care' attitude of leaders towards the led. This article argues that part of the reasons why the Nigerian state remains weak and continues to fail in delivering expected public services and the needed infrastructures of development despite the huge oil revenue that has accrued in the past five decades may find some answer in the 'resource curse' thesis. Resource curse theorists strongly argue that there exists an inverse relationship between natural resources and economic development (Auty, 1993; Sachs & Warner, 1997; Ross, 1999).

Further studies show that the 'institutional weaknesses' that afflict resource-abundant

countries like Nigeria are attributed to the 'rentier effect' which fuels mal-administration and corruption by political elites who manipulate the politico-administrative processes for selfish gains (Karl, 1999; Herbst, 2000). The 'rentier effect' also creates a form of selfish ambition and desperation by political elites to acquire political power at any cost. Political power is often sought for not because of broad public interest but for overriding selfish motives and interests. Abdulrahman and Zuwaira (2016) argue that there is high cost of governance at the expense of public service delivery in the country. Much of the costs are for maintaining the wide array of political and administrative structures continuously being created by the political class (for purposes of power consolidation) thereby, short-changing the public service needs and expectations of the people. For instance, compiled reports from Central Bank of Nigeria (CBN) statistical Bulletin (2021) show that in the past ten years (2011-2021) the average capital expenditure as a percentage of total government expenditure is less than 27%. It is important to note here that capital expenditure provision in the budget in any financial year is meant for the provision of public services. This article observes that despite the huge service delivery deficit confronting the country, more than 80% of government expenditure at the three levels of government is focused on re-current expenses.

Yagboyaju and Akinola (2019) argue 'that institutional weaknesses, ethnic politics, historical reality and evolution of Nigeria into unnegotiated statehood have contributed to the weakness of the State and its institutions in the performance of its constitutional obligations'. It therefore, follows that over the years the interplay of poor governance attributes as evidenced in the plethora of escalating

negative dynamics have tremendously contributed to the weakening state capacity in providing public services. These dynamics continue to undermine the state capacity to fulfil the basic functions of governance along the three dimensions of authority, capacity and legitimacy (CIFPP, 2006).

The World Bank Country Policy on Institutional Assessment (2004) rates the quality of a country's policies and institutional arrangements against a set of criteria such as economic management, structural policies, social inclusion and public sector management and institutions. These are key governance areas that can be used to assess the capacity of a state to perform assigned constitutional functions of which failure can be interpreted as poor governance. Drawing from this, good governance presupposes the exercise of political power in the interest of the people. This relationship is yet to find expression in the Social Contract as the 'actual or hypothetical agreement' which defines the rights and duties of the state and the citizens in terms of service delivery.

## **The Imperativeness of People-Centric Governance**

World Bank (2017) further defines governance as 'the process through which state and non-state actors interact to design and implement policies, within a given set of formal and informal rules that shape and are shaped by power'. The emphasis here is a dynamic process which involves interaction between the state and society. People centric governance on the other hand refers to 'taking the needs and voices of people into account when designing, delivering, implementing and evaluating public policies and services' (OECD, 2019).

This article draws a link between governance,

people-centric governance and service delivery. It deduces that the citizens are at the core of governance and government has a moral duty of involving citizens in the decision-making processes. It is therefore, the position of the article that a modest process which would incorporate all stakeholders in the service delivery process be put in place. This process has to be anchored on 'voices' of the people in terms of what they need at a particular time and how they want it provided. The outcome of this process is a people-centric public policies and services which implies 'working with a common objective of putting people at the centre ...' (OECD, 2019). The stakeholders here include the entire civil society, civil society organisations, organised labour, private sector, academia, professional bodies, the media etc. The article proposes the following strategic framework for achieving a people-centric public service delivery process.

Political will. Political will imply the energy, commitment and psycho-emotive preparedness of the government to pursue a particular course of action (Okafor & Okafor 2019:7). It is needed to generate political action. As a subset of political commitment, it entails leaders sharing good vision and feeling committed towards achieving identified goals. This involves identifying service delivery deficit as a policy issue, placing it in the policy agenda and mobilizing resources appropriately.

Electoral reforms. The participation of citizens in the electoral process is the most effective way of ensuring involvement in the governance process. This reform process entails putting in place the right system to enable citizens choose the right leaders and effectively participate in the entire governance process.

Formulation of Citizens' Charters. The Citizen's charter is based on the principle of

‘citizen first’. This implies that government organizations exist not to rule but to serve the citizens. The emphasis is for both the citizens and service providers to realize that public agencies are meant to provide services. Also, each organisation would be expected to spell out the services it has to deliver and specify the standards of delivery to the satisfaction of citizens. For instance, the Citizen’s Charter has been launched and is effective in countries like United Kingdom, Ireland, South Africa, India etc.

Reforms in the Public Administration System. The public administration system serves as the vehicle for delivering public services in any country. However, despite global and local reforms and proposed changing practices, the country’s public administration has remained weak, corrupt and dysfunctional. This is a consequence of the weak state character. Conscious reforms arising from invigorated political will of leaders are strongly needed to refocus the public administration system for improved service delivery. This basically involves the application of New Public governance principles with emphasis on professionalism, decentralization of service provisioning, adopting a market-oriented approach, enhancing the role of citizens and the civil society in the service delivery process and strengthening ethics in public administration practices. For instance, such reforms have been instrumental in re-positioning India’s public administration for a people-oriented service delivery in the recent decades.

## Conclusion

This article has been able to argue that the issue of public service delivery deficit in the country is largely predicated on the inability of successive governments to meet up with the needs and expectations of the citizens. This inability is

identified as state weakness culminating in the breach of a ‘hypothetical social contract’ between the state and citizens. The outcome has been that successive governments over the years have failed to deliver on core functions to majority of citizens, thereby, resulting in a huge service delivery gap. The article has drawn insights from four critical sectors, viz: healthcare, electricity, water supply and security to demonstrate the failing capacity of the Nigerian State.

Service delivery is a contractual relationship between the state and the citizens. This relationship entails a process of positive interaction between government and other stakeholders such as the civil society, private sector, professional bodies etc. Ipso facto, service delivery is a governance outcome, where good governance is the exercise of political authority to achieve identified social ends in the public interest. However, good governance has remained elusive on account of persisting weak and corrupt leadership. Leadership in the country is characterized by corruption, nepotism, lack of transparency and accountability, political exclusion/exclusive governance system, marginalization, insensitivity to the needs of majority etc. Given these scenarios, the article concludes that a people-driven and people-centred governance paradigm should be urgently adopted. This is the best means of factoring in the people’s interest and concerns when designing and delivering public policies and services. The article, therefore, makes the following recommendations.

Firstly, an inclusive democratic process is urgently needed to foster an inclusive and people-centred governance process. A continuous engagement between the government and the people is needed to

identify the needs of the people and to align the needs with government priorities.

Secondly, the strengthening of legal and institutional frameworks. According to Acemoglu and Robinson (2013) “institutions influence behaviour and incentives in real life, they forge the success or failure of nations.”

Thirdly, enhancing and expanding the role of the civil society groups. The civil society groups educate citizens on their fundamental rights and responsibilities and provide platforms for the people to effectively participate in the process of governance.

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