



Centralization of Decentralization- The Paradox in the Malawi Decentralization Policy

COURSE: Policy Design and Implementation

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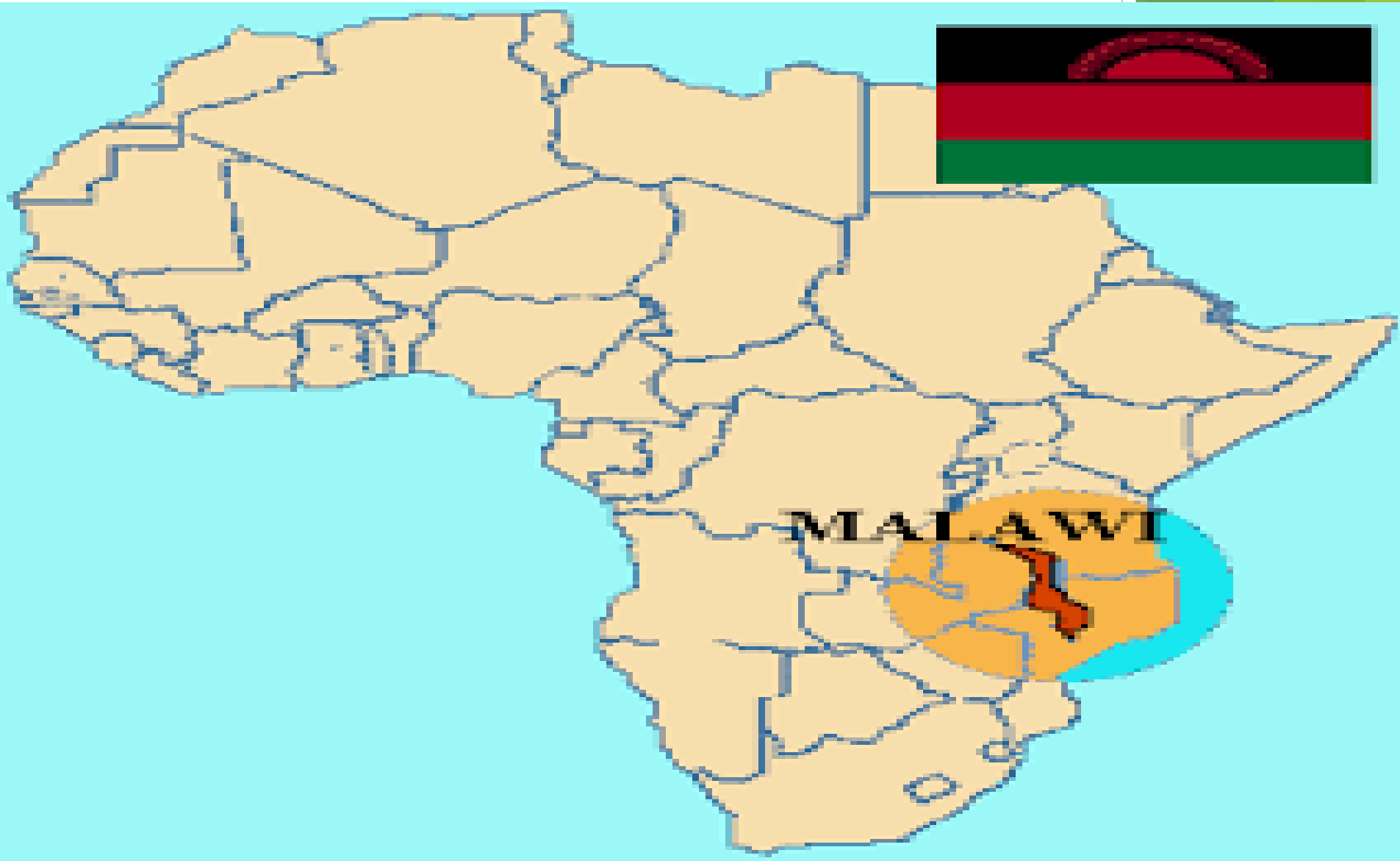
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PRESENTATION OUTLINE

- ▶ KNOWING MALAWI
- ▶ HISTORY OF DECENTRALIZATION POLICY
- ▶ THE DECENTRALIZATION POLICY I & II REVIEWS
- ▶ POLICY ACHIEVEMENTS AND FAILURES
- ▶ PROBABLE CAUSES OF POLICY FAILURE
- ▶ SUGGESTED MEANS TO ERADICATE THE CHALLENGES

LOCATION OF MALAWI



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- ▶ Malawi is a land locked country in southern Africa bordered by Tanzania(northeast), Mozambique(South) and Zambia(Northwest).



FACT FILE.

- ▶ Malawi sits on an area spanning 118,484km² with 20% covered by water.
- ▶ Malawi has 4 Cities, 2 Municipals, 1 town and 28 Districts.
- ▶ Malawi is multicultural with atleast 13 ethnic groups
- ▶ Capital city is Lilongwe, commercial city is Blantyre.
- ▶ The population is around 20 million(NSO, 2021).
- ▶ She has an agro-based economy.

HISTORY OF DECENTRALIZATION IN MALAWI

- ▶ Nyasaland had decentralization way before colonization, patriarchy and chieftaincy (Dulani,2003)
- ▶ In the colonial period 1891-1963 the British introduced different systems for the indirect rule in which the District Commissioner (DC) controlled all local matters.
- ▶ Native, Traditional authority and District Council ordinances were passed in 1912,1933 and 1953 respectively (Dulani,2003).
- ▶ In 1961 the DC decree was amended to give some powers to the people prior to independence in 1964. (Hussein,2017)
- ▶ In 1966 The first president of Malawi Dr. Hasting Kamuzu Banda declared one-party state and withdrew all local powers and appointed council members. (Hussein,2017)
- ▶ His 31 years authoritarian rule came to an end in 1994 when he lost to Dr. Bakili Muluzi, and democratization was introduced.
- ▶ In 1996 cabinet instructed the decentralization reforms that gave birth to the National Decentralization Policy that was officially approved in 1998.

THE DECENTRALIZATION POLICY

- ▶ After the one-party rule, Malawi undertook changes to reflect the new political and governance era. Including changing from Nyasaland.
- ▶ Decentralization of administrative and political power to local levels was among the changes. 1994 Constitution Chapter 14 reflects decentralization.
- ▶ The directive to the cabinet in 1996 triggered studies and consultation by the department of District and Local Government Administration leading to the formulation of the National Decentralization Policy (NDP).
- ▶ Apthorpe et al (2005) who suggested the integrated decentralization system through the Apthorpe report, provided the NDP through their suggested system (Hussein, 2013).
- ▶ The Cabinet committee for decentralization formulated and reviewed the NDP. (Leiderer et a., 2003).
- ▶ It was approved in 1998 and it was incorporated in the 1998 Local Government Act.

THE NATIONAL DECENTRALIZATION POLICY (NDP)

- ▶ To devolve political and administrative powers to the districts
- ▶ To amalgamate all local agencies into a unit that will provide local services to the citizenry efficiently.
- ▶ To allocate functions and responsibilities to the appropriate levels of government and allow Local Governments (LGs) to implement their functions and responsibilities.
- ▶ To enhance citizenry participation in the governance and development of their districts

THE NDP OBJECTIVES

- ▶ To institutionalize democracy and build robust and productive institutions at local level
- ▶ combine the two local offices into a unit to cut costs and ensure efficient and effective service delivery.
- ▶ To engage the citizenry in the development of the districts.
- ▶ To induce local development and enhance provision of adequate and quality public services to the citizenry.

MEANS FOR ACHIEVING THE OBJECTIVES

- ▶ Create independent LGs with administrative and political powers.
- ▶ Allow the LGs to make policies and by-laws, promote economic and political development, and ensure order.
- ▶ LGs to provide goods and services locally mirrored by the central ministries. With funds from three sources.
- ▶ The local central government to support the LGs financially, technically and policy wise to meet national priorities.
- ▶ Line Ministries to devolve all local functions & resources. Ministries retain national functions like policy management, inspection, training and setting standards, international representation and curriculum setting.
- ▶ LG Act 1998 to support the implementation and Ministry of LG to mediate between LGs and central government.
- ▶ Implementation started in 1998 and three official reviews were made.

IMPLEMENTING STAKEHOLDERS

- ▶ Office of President and Cabinet to champion political and administrative leadership and provide overall direction in implementing the policy.
- ▶ The Cabinet Committee on Decentralization is responsible for providing political guidance in the policy implementation.
- ▶ The Inter-Ministerial Technical Committee is charged with providing technical support to the implementation of the policy.
- ▶ Ministry of Local Government and Rural Development act as a national coordinator for the implementation process.
- ▶ The Joint Government of Malawi/ Donor Committee serves as a forum for communication and coordination between government and donors on issues of decentralization.
- ▶ National Local Government Finance Committee act as a bridge between the central government and the Local governments.
- ▶ The LGs are supposed to have a committee of councilors and a taskforce of technocrats to provide guidance and coordinate implementation of the devolved functions, respectively.

INITIAL IMPLEMENTATION PLANS

- ▶ The NDP 1 targeted the ministries of Education, Health, Water, Trade and Industry and Community and Social welfare. Eventually, Agriculture, Land Planning, Housing and Natural resource and environment were added.
- ▶ This entails that Malawi initially adopted an incremental implementation strategy. However, the strategy was later abandoned for speed.
- ▶ After noting that some devolution were done but decision-making power and fiscal autonomy was not available at the local level, selective decentralization policy was adopted.
- ▶ Thus, district focus program was also adopted in which tailor-made approach was used to equip the targeted LGs with the necessary mandate and financial devolution to empower it.
- ▶ However, after the initial program, the policies died off and a full throttle approach came into play to facilitate the implementation process to ensure speedy implementation.

NDP1 REVIEW, 2001-2004 by Kutengule (2004)

- ▶ Focus was on Legal changes, boost institutional capacity and capabilities, advance democracy, fiscal devolution, financial management, sector devolution and local development planning.
- ▶ Two local offices were merged, devolution started, capacity building started.
- ▶ lack of linkage between NDP1 and other public policies and conflicting legal provisions within the legal framework.
- ▶ conflicts of roles among Members of Parliament, councilors and Traditional Authorities.
- ▶ Poor institutional capability plus high qualified staff turn-over.
- ▶ Lack of strict championship in guiding the policy implementation process.
- ▶ Inadequate financial resources and no citizenry participation due to lack of knowledge and ability.
- ▶ Following recommendations were made accelerate sector devolution, incite political will and need for change, institutional building and capacity building, enhance fiscal devolution, financial management systems and local development.

NDP2 REVIEW, 2005-2009 by Chiweza (2010)

- ▶ NDP2 had the same components as NDP1. It was designed to solve the challenges found in NDP1.
- ▶ Slow continuation of devolution, capacity building and unsolved NDP1 issues
- ▶ Non-functionality of institutions charged with implementing decentralization and poor coordination among them.
- ▶ Resistance to change and lack of political will to champion the process
- ▶ Poor financing and staffing in the local governments
- ▶ Lack of activism and information sharing in implementing decentralization
- ▶ The recommendations included the need for OPC and MLGRD to facilitate devolution, link decentralization to other public reforms, the MLGRD need to accelerate the resuscitating of the central decentralization coordinating mechanism and follow NDP1 recommendations.
- ▶ MLGRD to facilitate the formulation of national strategy for decentralization implementation.

EXTENSION OF NDP2 from 2008-2013

- ▶ NDP2 was extended with 4 elements; sector devolution, fiscal decentralization, institution building and development planning.
- ▶ Slow devolution and empowerment continued
- ▶ Lack of political will and legal reforms for decentralization
- ▶ poor performance of OPC on their decentralization championship could not handle the change resistance.
- ▶ MLGRD is performing poorly as many issues remain unsolved.
- ▶ The Ministries decided what to devolve or not.
- ▶ Recommendations included developing a new decentralization program that will consider how to eradicate all identified failures and build on the achievements by the OPC and MLGRD.
- ▶ The program to consider ensuring full devolution by ministries, legal reforms for decentralization, enhancement of local taxation.
- ▶ OPC and MLGRD to form an independent unit to oversee daily implementation another decentralization program.

POLICY ACHIEVEMENTS AND FAILURES

- ▶ Enactment of the Local government Act
- ▶ Creation of independently defined local governments
- ▶ Efforts to relinquish HRD functions
- ▶ Partial devolution of functions from ministries to the LGs
- ▶ Partial fiscal decentralization and Local revenue generation mandates
- ▶ Unresolved legal and administrative issues
- ▶ Championship failure in directing the implementation process.
- ▶ The withdrawal of policy making powers, inclusion of MPs to vote and the appointment of controlling offices by minister were considered huge setbacks.
- ▶ Issuance of direct instructions from the center on local issues

CULPRITS FOR THE MANIFESTED FAILURES

- ▶ Poor quality of the policy. e.g. Powers to ministers and legal conflicts.
- ▶ Lack of Championship in the implementation of the policy to enforce adherence to the prescribed parameters.
- ▶ Lack of capacity and poor coordination of institutions charged with the implementation of the policy.
- ▶ Information gap among various stakeholders on the progress of the decentralization process.
- ▶ Resistance to change by politicians and staff at central and local level.
- ▶ Fixation on the policy implementation style despite the manifested challenges.
- ▶ Political interference from within and outside the bureaucratic system due to regime changes.
- ▶ Lack of national commitment to achieve the set objectives.

MY PROPOSED CONSIDERATIONS TO ENSURE POLICY SUCCESS

- ▶ Firstly, I agree with the reviewers' observations that the policy implementation has been faced with numerous challenges.
- ▶ The top leadership to delegate the powers to an independent unit with adequate authority and resources to make high level decentralization decisions and implement them without consultation. Or co-opt the other arms of government in the championship role.
- ▶ Amend the NDP where necessary to ease implementation challenges. Ministry power withdraw and harmonize it with the conflicting laws and policies.
- ▶ Advance a national mindset agenda towards collective productivity and advocate prioritization of national achievement. Matching process and the results, promote self-discipline, systematization of procedures, provide enabling environment, and institutions to make desired changes.
- ▶ Carry awareness campaigns to provide adequate information to all stakeholders and allow them to contribute on how to improve it. This will give a sense of ownership and passion to comply with its provisions.
- ▶ Eradicate the fixation experienced in the NDP implementation to this far. For instance, try a bottom-up approach, boost LGs' funding and eradicate resistance, adherence to deadlines and use necessary institutions.

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- ▶ Empower all the necessary institutions with authority and resources to effectively and efficiently carry-out their roles in the implementation process.
- ▶ Consider the implementation of the NDP policy as a means to an end other than an end in itself.
- ▶ Facilitate the devolution of all local functions and responsibilities from the line ministries coupled with resources to discharge them.
- ▶ Reward and punish the stakeholders for success and failure accordingly.
- ▶ Make a clear demarcation of roles between LGs and between central government and the LGs

THANK YOU FOR YOUR
ATTENTION

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