



An Initial Assessment of the State of Local Governance Institutions In Sub-Saharan Africa



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Local Public Sector Alliance
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This report is based on the Local Public Sector Alliance's Local Governance Institutions Comparative Assessment (LoGICA) framework, as applied to selected countries in Sub-Saharan Africa. It reflects the knowledge, expertise, and inputs from numerous experts in the field of multilevel governance, decentralization, and local governance.

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A 3D map of Africa is shown in a light blue color. The map is overlaid with various national flags and symbols, including the flag of Spain, the flag of Turkey, the flag of Iran, the flag of Nigeria, the flag of Egypt, the flag of Ethiopia, the flag of Sudan, the flag of Chad, the flag of Mali, the flag of Niger, the flag of Senegal, the flag of Gambia, the flag of Guinea, the flag of Sierra Leone, the flag of Liberia, the flag of Ivory Coast, the flag of Ghana, the flag of Nigeria, the flag of Kenya, the flag of Tanzania, the flag of Uganda, the flag of Rwanda, the flag of Burundi, the flag of DRC, the flag of Congo, the flag of Gabon, the flag of Equatorial Guinea, the flag of Guinea-Bissau, the flag of Cape Verde, the flag of Mauritania, the flag of Mauritius, the flag of Madagascar, the flag of Comoros, the flag of Seychelles, and the flag of Swaziland. The text "Part I. Assessing the State of Local Governance Institutions in Sub-Saharan Africa" is centered over the map.

**Part I. Assessing the State of Local
Governance Institutions in Sub-Saharan
Africa**

1. Introduction: Why Assess the State of Local Governance Institutions?

The Universal Declaration of Human Rights states that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, and that everyone has the right of equal access to public services in his or her country.

Ensuring these basic human rights is hard to do in countries that rely heavily (or exclusively) on a remote central government, as the ability of citizens to participate in—or contest—central government decision-making is limited at best. Similarly, the ability of citizens to ensure that central government officials provide them with equal access to public services is equally limited. With this in mind, many countries in Africa and around the world have established regional and local governance institutions based on the notion that—for reasons of inclusion, agency, and accountability—government powers are best exercised as close to the citizen as possible, and that collective challenges should be addressed at the lowest level of the public sector that is capable of resolving these challenges efficiently.

Local governance institutions are critical for responding to citizen needs but are not always sufficiently empowered to do so.

In countries around the world, subnational governments and other local public sector entities are responsible for delivering most of the public services that people rely on day-to-day: schools for their children, public health services, access to clean water and sanitation, road infrastructure to get people to jobs and goods to markets, and many others. Although these public services align with global development objectives and national priorities, the delivery of these public services are fundamentally localized in nature.



As the governance levels closest to the people, subnational governance institutions should be inclusive, responsive, and accountable to the priorities and needs of their constituents. In practice, however, the ability of subnational officials to respond to the needs of their constituents—for instance, by delivering inclusive and effective public services; by promoting local economic development and job creation; by engaging in urban resilience and local climate action; and by ensuring inclusive governance and social inclusion—depends on the authority, autonomy, functional powers, and resources provided to subnational governance institutions (Figure 1.1).

Local governance institutions do not always enjoy the kind of autonomy that is needed to deliver on this aspiration. Weakly empowered subnational institutions are often hamstrung in their efforts to strengthen basic public services and economic opportunity; combat urban crowding and congestion; and address climate change and environmental stewardship, to name but a few. This points towards a need to understand the nature of local governance institutions – how they operate, the extent of their autonomy and the constraints imposed upon them – to better inform policy makers in their efforts to improve the status quo.

Empowered subnational governance institutions make an important contribution to inclusive governance and sustainable development.

The global challenges that countries face in the twenty-first century cannot be dealt with by any single government level alone. Although central governments almost always have inherent advantages in terms of decision-making power, administrative capacity, and financial resources, a centralized system—where the central government has a monopoly over the provision of public services—risks the inefficient use of public resources and unresponsive public services.

In centralized countries, the long chain of accountability relationships between citizens and central policy makers makes it almost impossible for people (citizens, taxpayers, and clients of public services) to have their voices heard or to hold the central government accountable for its performance. When certain conditions are met, however, democratically elected local governments can enhance the efficiency of the public sector as a mechanism for inclusive and responsive collective decision making and service delivery by “bringing the public sector closer to the people” and shortening the route of accountability between the people, public sector decision-makers, and service delivery providers.

There is widespread consensus among experts that, under the right circumstances, empowering local governments can improve the efficiency of the public sector by tailoring policies, taxes, and the provision of public services more closely to the preferences and needs of residents in different regions and localities.

The benefits of decentralized governance are not automatic.

The benefits of decentralized governance do not automatically appear simply due to formally transferring powers and resources to the regional or local government level. Instead, in the real world, there are often problems that invalidate the assumptions implicit in the shorter “route of accountability” model. For instance:

- If the local governance institution is not a **corporate body** (i.e. a distinct legal entity with its own decision-making powers) then local leaders are unable to respond to their local constituents with respect to taxation, expenditure, service delivery, or other aspects of local administration.
- If the local **political** leadership is not elected or does not have at least a minimum level of authoritative decision-making power, local constituents cannot hold locally elected leaders accountable for their decisions or performance.
- If locally elected leaders lack **administrative** powers such that they cannot control the officers and staff that manage the delivery of local services, local leaders are unable to hold officials accountable for their performance (and in turn, local constituents would be unable to hold their local leaders accountable).
- If locally elected leaders lack **fiscal** powers such that they are unable to prepare, adopt, and implement their own budget decisions, then local leaders are unable to direct and implement their own decisions and programs (and thus, again, local constituents would not be able to hold them accountable if their priorities are not addressed).

In order to achieve a degree of clarity about the true nature of regional and local governance institutions in different countries, the Local Governance Institutional Comparative Assessment (LoGICA) framework allows subnational (regional or local) governance institutions to be classified into one of four main different categories, ranging from subnational governments with extensive autonomy and authoritative decision-making power over a wide range of functions (“extensive devolution”) to subnational governance institutions that are not legal, administrative or fiscal entities in their own right.

As a result, the LoGICA assessment allows policy makers and other stakeholders to distinguish between highly devolved local government institutions—which are typically empowered to respond to the needs and priorities of local constituents—from local institutions that are, to varying extents, less empowered to do so.

The LoGICA framework can be used to assess the state of local governance institutions.

The Local Governance Institutions Comparative Assessment (LoGICA) Framework is an assessment framework developed by the Local Public Sector Alliance which aims to inform country level policy debates and reforms on decentralization and localization, by ensuring a better

understanding of the exact nature of a country's subnational governance institutions and multilevel governance arrangements, and by placing each country's experience in a comparative global or regional context.

As such, the LoGICA Framework provides a diagnostic framework to evaluate the multilevel governance structure of a country, to assess whether the nature of subnational governance institutions contribute to inclusive governance, effective public service delivery and sustainable localized development.

This report presents the findings generated by applying the LoGICA Framework – specifically, LoGICA's Intergovernmental Profile (IGP) – in six countries in Sub-Saharan Africa (SSA). The IGP explores the basic nature of the subnational public sector in a country by exploring its multilevel governance systems, thereby providing a foundation for a deeper understanding of the subnational public sector.

The countries selected for this initial assessment of the state of local governance institutions in Sub-Saharan Africa include Ethiopia, Kenya, Malawi, Tanzania, South Africa, and Uganda. It is noted that this small sample is unlikely to reflect the diversity of practices and experiences with respect to subnational governance of the 49 Sub-Saharan members of the African Union (AU). Despite the non-representative nature of the sample, this assessment does provide a *proof of concept* as well as initial insights into the nature of subnational governance institutions in Sub-Saharan Africa. It is therefore the intention of the Local Public Sector Alliance to build on this initial assessment in future years, by conducting LoGICA assessments for all countries in SSA countries.

2. Assessing the State of Local Governance Institutions: Methodology

The LoGICA framework

The LoGICA Framework's primary purpose is to inform country level policy debates and reforms on decentralization and localization, by ensuring a better understanding of the exact nature of a country's multilevel governance arrangements, and by placing each country's experience in a comparative global or regional context. The framework intends country-level assessments to be initiated and conducted by regional or country-level assessors or assessment teams.

The Assessment Framework includes several components. First, the **LoGICA Intergovernmental Context** or **LoGICA Intergovernmental Profile** captures in-depth information about a country's organizational (multilevel) governance structure, the nature of subnational governance institutions, and key functional assignments. Second, the **LoGICA Country Profile** captures in-depth information about political, administrative, and fiscal institutions at each level, as well as about the nature of localized service delivery and development in several specific sectors. Third, the **LoGICA Score Card** is a set of high-level assessment indicators which quantify the systems, processes and institutions that contribute to an effective local governance system.

This assessment report of the state of local governance institutions in Sub-Saharan Africa focuses on the nature of regional and local governance institutions. As such, the assessment uses the methodology of the **LoGICA Intergovernmental Profile**.

What is a local government?

In order to assess the extent to which a subnational institution constitutes a fully-fledged local government, it is necessary to have a definition of what a local government is precisely and what characteristics they should exhibit. Unfortunately, the global Community of Practice on decentralization and localization does not have a single consensus definition.

One reason for this is the multi-disciplinary nature of local governance. Given that the topic is typically of interest to researchers across different disciplines – lawyers, political scientists, public administration specialists, economists, and others – few analyses consider the nature of local governance institutions in a comprehensive manner. In the absence of an institutional mechanism for bringing together the insights from these diverse disciplines, each discipline has contributed different ideas about what constitutes a local government.

For instance, political scientists may look at the presence of local elections or local political representation in determining whether a local government exists or not. In contrast, public administration specialists may examine the extent to which the entity can appoint and manage its own officers and staff or carry out its own procurement, while public finance specialists may consider whether local entities can raise revenues in their own name and the extent of budgetary autonomy that they enjoy.

In the absence of a consensus definition, the LoGICA framework makes a clear distinction between subnational **governance** institutions—a general term capturing different types of subnational public sector institutions—and subnational **government** institutions, which are subnational institutions that adhere to a number of specific institutional characteristics.

The LoGICA framework defines subnational governments as ***corporate bodies (or institutional units) that perform one or more public sector functions within a subnational jurisdiction and that have adequate political, administrative, and fiscal autonomy and authority to respond to the needs and priorities of their constituents.*** This definition most closely resembles the definition used by the International Monetary Fund (with some important modifications – for instance, the IMF does not consider political characteristics of subnational institutions) as part of its efforts to bring together government finance statistics from countries around the world.

The LoGICA definition implies that subnational governance institutions must adhere to several multi-disciplinary criteria in order for local governments to be considered ‘real’ local governments, including:

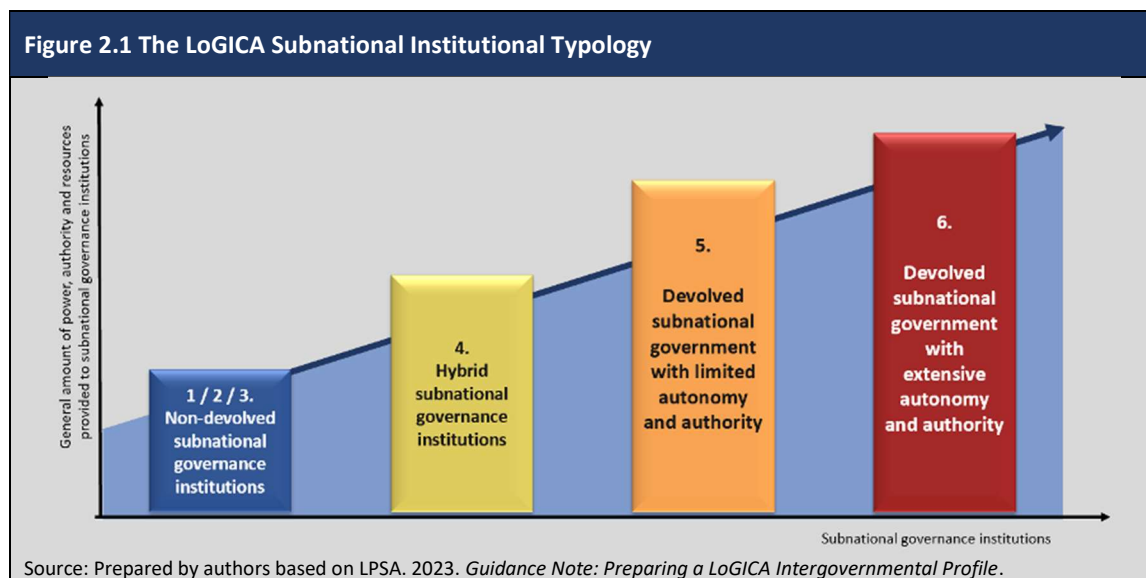
- ***Legal (corporate) entity:*** A local government is a corporate body (a legal entity that, in its own name, can own assets, enter into contracts, incur liabilities, sue and be sued, and engage in transactions with other entities).
- ***Public sector (service delivery) entity:*** A local government is a mechanism for collective decision-making and service delivery in a local jurisdiction, typically with binding decision-making power (e.g., regulatory and/or taxation powers).
- ***Political entity:*** A local government has its own (political/elected) leadership with authoritative decision-making power.
- ***Administrative entity:*** A local government has (and controls) its own administration, appointing and managing its own officers and staff.
- ***Fiscal entity:*** A local government owns assets and raises funds in its own name; and prepares, adopts, and manages its own budget.

While these criteria may be met in many countries, they are certainly not met by all local governance institutions in all countries around the world – especially when they are applied in a strict manner and when considering whether they hold true both *de jure* and *de facto*. These criteria therefore provide a strong foundation for assessing the nature of subnational institutions in a country and for comparing across different countries and regions.

LoGICA’s subnational governance typology

To easily compare and contrast the nature of subnational governance institutions within and across countries, the LoGICA framework establishes a ***Subnational Institutional Typology*** which includes four main categories of subnational governance institution. These range from subnational governments with extensive decision-making powers across a wide range of functions (extensive devolution) to subnational governance institutions that are not legal, administrative or fiscal entities in their own right (non-devolved). The typology helps to distinguish between highly

devolved local government institutions (which are typically able to respond to the needs and priorities of local constituents) from local institutions that are much less empowered to do so (Figure 2.1).



The LoGICA methodology asks a series of detailed questions relating to the institutional, political, administrative, and fiscal autonomy of subnational governance institutions, the answers to which determine which of the four categories the entity belongs:

- ***Devolved local governments with extensive autonomy.*** Devolved local governments with extensive autonomy and authority are local governance institutions that fully adhere to all the criteria of being a local government (as defined by LoGICA above), in law (*de jure*) as well in practice (*de facto*), in form as well as in function.
- ***Devolved local governments with limited autonomy.*** Devolved local governments with limited autonomy are local governance institutions that adhere to the criteria of being a local government, but with some limitations. The limiting factor could simply be that the entity is a single-purpose institution (e.g., a school district or water board) or, more generally, that certain (political, administrative or fiscal) powers or practices are retained or exercised by central governments in a way that limit the autonomy of subnational governance institutions in practice—not enough to not be considered autonomous local governments, but enough not to be considered local governments with extensive power and autonomy.¹

¹ For instance, in some countries the local government council is directly elected, and local governance institutions meet all conditions of being a local government, but candidates for mayor are selected by the central government (and then approved by the local council). Such a practice would clearly limit the political autonomy of the local government body.

- **Hybrid local governance institutions.** Hybrid local governance institutions are institutions that are *de facto* corporate bodies that engage in public sector functions, but face significant limitations in political, administrative and/or fiscal autonomy to the extent that they cannot be considered a fully devolved local government. In practice, this means that they combine features of *devolved* and *deconcentrated* entities. There are numerous different reasons why local governance institutions should be considered hybrid local governance institutions. For instance, a local institution that meets all conditions of a local government but lacks managerial control over its own officers, or a local body that lacks authoritative decision-making power (e.g., its budget needs to be approved by a higher-level government) would be considered to be hybrid local governance institution.
- **Non-devolved local governance institutions.** Non-devolved local governance institutions are entities that do not meet the conditions required to be considered a *de facto* corporate body. This may be due to a variety of reasons, such as the entity not having its own political leadership or its own budget, or not being able to employ its own officer(s). In most cases, local governance institutions that fall into this category will be *deconcentrated* entities (i.e. territorial or sectoral subnational field administration units with a degree of administrative or budget autonomy but which lack separate legal status and form a hierarchically subordinate part of the higher-level government).

Assessing the nature of subnational governance institutions

Having described the key characteristics of a local government, as well the four main categories of subnational institutions, it is necessary to define the institutional characteristics and functions that determine the nature of the entity being assessed. Making a judgement on which of the above four categories best describes the subnational governance institution being assessed requires consideration of four aspects of subnational organization (building on the definition):

- Institutional characteristics and functions
- Political characteristics, autonomy, and authority
- Administrative characteristics, autonomy, and authority
- Fiscal/budgetary characteristics, autonomy, and authority

Institutional characteristics & functions. The institutional characteristics and functions of subnational governance institutions vary widely across different countries. In some countries, subnational governance institutions do not have any features of a corporate body or institutional unit (e.g., they are a sub-division of a higher-level government unit). In other countries, by law and in practice, subnational governance institutions have all the features of a corporate body or institutional unit, and are (de facto) responsible for multiple public sector functions.

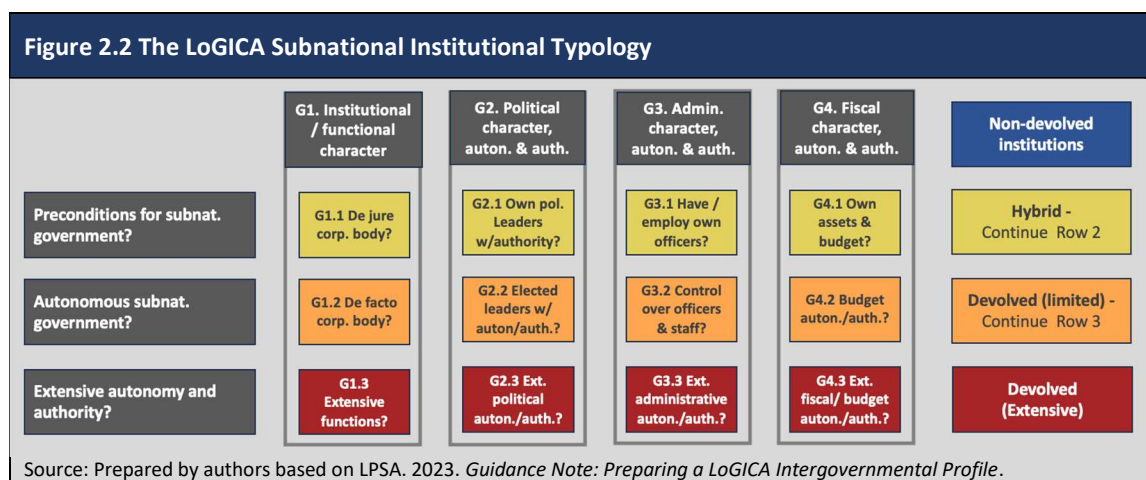
Political characteristics, autonomy, and authority. Similarly, the political characteristics, autonomy, and authority of subnational governance institutions vary widely across different countries. In some countries, subnational governance institutions simply do not have their own political leadership, or its political leadership does not have autonomy or authority (e.g. advisory

councils). In other countries, by law and in practice, subnational governance institutions have directly elected political leadership with extensive political autonomy and authority.

Administrative characteristics, autonomy, and authority. Third, the administrative characteristics, autonomy, and authority of subnational governance institutions vary widely across different countries. In some countries, subnational governance institutions do not have any administrative autonomy or authority (e.g., local staff are formally part of the national civil service). Yet, in other countries, by law and in practice, the subnational governance institutions have extensive administrative autonomy and authority. For instance, to appoint and fully control all of their own officers; to determine their own organizational structure; and to appoint and control all of their own staff.

Fiscal/budgetary characteristics, autonomy, and authority. Finally, the budgetary or fiscal characteristics, autonomy, and authority of subnational governance institutions can vary widely across different countries. In some countries, subnational governance institutions do not have their own dedicated budget, or the subnational political leadership does not have control over it. In other countries, by law and in practice, subnational institutions have extensive fiscal and budgetary autonomy, with the authority to prepare, approve and manage their own budgets and expenditure without approval or interference from higher-level officials.

The LoGICA methodology is structured around these four dimensions and requires the assessor to answer a series of questions designed to establish the degree of autonomy and authority in each dimension. The first level of questions asks whether the subnational governance institution meets the minimum “pre-conditions” necessary to be considered a (potential) local government. Namely, whether the entity is a *de facto* corporate body with at least the minimum level of authority and autonomy to carry out public sector functions. The second level of questions seek to establish whether the entity has sufficient political, administrative, and fiscal autonomy and authority to be considered a *fully* devolved local government, as opposed to a *partially* devolved (i.e. hybrid) institution. Finally, a third level of questions aims to separate fully devolved local governments with *extensive* powers from those that have some specific *limitations* in their responsibilities and/or autonomy.



The methodology prescribes a score between ‘0’ (does not meet the pre-condition) and ‘3’ (meets the criteria for extensive devolution) for each dimension. In order to ensure objective and consistent application of the methodology, highly detailed guidance for the assessment of each indicator is provided in the **Guidance Note: Preparing and Intergovernmental Profile** (<https://decentralization.net/resources/logica-igp/>). After the draft LoGICA Intergovernmental Profile is prepared by a country expert, the LPSA Secretariat conducts a Quality Assurance Review to ensure that the LoGICA IGP methodology is applied accurately and consistently.

The overall classification of the subnational governance institution depends on the scores prescribed across all four dimensions. Given that local governments require autonomy and authority in all four dimensions to effectively select and implement their constituents’ priorities, the overall classification is based on the **lowest score across these four dimensions**. For instance, in Figure 2.2 above, if the answer to G3.2 is “no” then the entity cannot be classified as a devolved local government, even if the answers to G1.2, G2.2 and G4.2 are “yes” since it is necessary to answer “yes” to all questions on the same level to be categorized at that level. Furthermore, in this example, the entity would only be considered a “hybrid” entity if the answers to G1.1 – G.4.1 are all “yes”. If one or more of these are answered “no” then the entity would be classified as a “non-devolved institution”.

The specific requirements that must be met to satisfy each question at each level are explained in a high level of detail in the LoGICA manual, but for illustrative purposes, below are some common reasons why a score of ‘3’ (or even ‘2’) may not be achieved:

- In the **political dimension**, local institutions may have elected local councils, but these local councils may not have authoritative decision-making power over local affairs. For instance, local councils may have the responsibility to monitor the performance of government officials in their jurisdictions, but may lack real power to direct resources towards the priorities of local constituents versus the priorities of the higher-level government.
- In the **administrative dimension**, local institutions may have their own officers and staff, but these individuals may be appointed and/or controlled by a higher government level, making it difficult or impossible for local political leaders to direct managers to implement local priorities or to motivate and/or terminate underperforming staff. Similarly, local governments may be restricted in determining their own organizational structures or from carrying out their own procurements.
- In the **fiscal dimension**, local institutions may have their own budgets, but these budgets may have to be negotiated with higher-level officials, and/or incorporated in the budgets of higher government levels. Alternatively, there may be requirements for the local budget to be approved by the higher government level, resulting in local budgets being subject to change depending on the priorities of the higher-level government.

Nature of subnational governance institutions: De jure versus de facto

A final – but very important – element of the LoGICA methodology concerns the difference between the *de jure* situation (what should happen) and the *de facto* situation (what actually happens in practice). The LoGICA framework intends to describe the actual (*de facto*) situation rather than the legal (*de jure*) situation. Unless otherwise indicated, the Intergovernmental Profiles included in this assessment report are based on the actual or *de facto* situation in a country, rather than merely describing the legal (or *de jure*) situation.

This means that the assessment of the state of local governance is based on how the multilevel governance system *actually* works in different countries, rather than on how it *should* work according to the law or based on policy ambitions. When relevant, it is useful to note the differences between the *de jure* and *de facto* situations, as the existence of a gap between the two tends to weaken local governance and contributes to inefficient localized services.

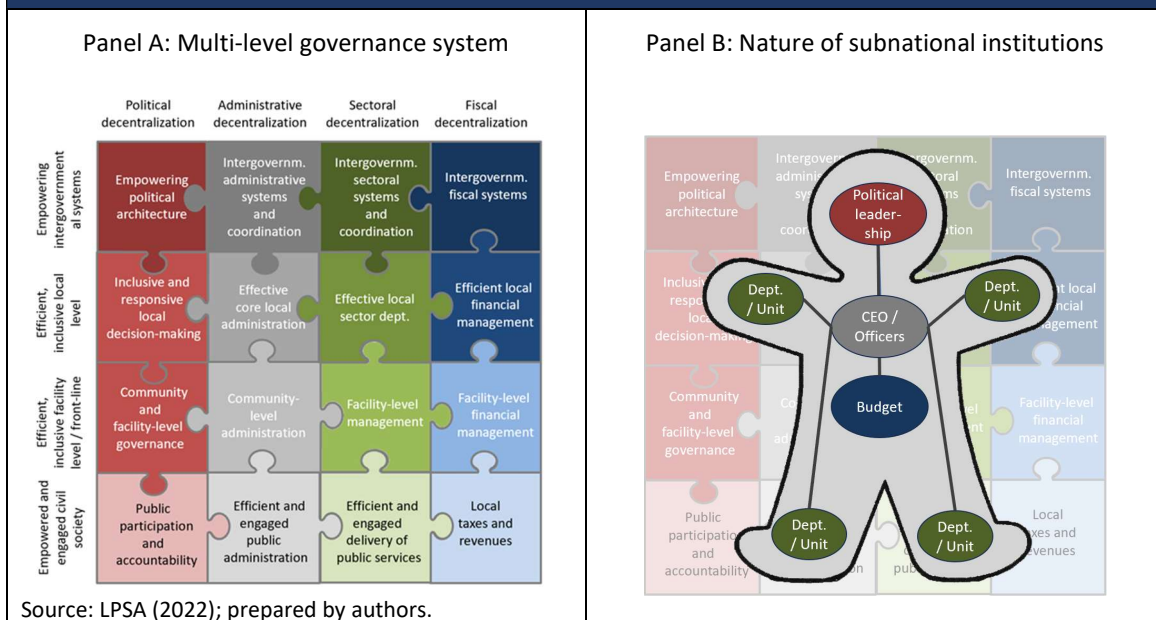
In this regard, it is useful to highlight that the consistent assessment of subnational governance entities against the *de facto* situation in countries around the world is complicated. One challenge is that while many countries proclaim—in their constitution or in legislation—that subnational governments are corporate bodies, it may be found that subnational governance institutions in practice fail to adhere to the definitional characteristics of a corporate entity.

Distinguishing between the nature of subnational governance institutions and the multilevel governance context.

It is increasingly recognized that inclusive and multilevel public sectors are complex, multi-dimensional systems. Effective subnational governance and service delivery requires more than just effective subnational leadership, effective subnational administration, and adequate subnational finances. The LoGICA framework recognizes that when the political, administrative, sectoral and fiscal systems are considered at the four different levels of a subnational governance system (i.e., central, local, provider and community levels), an assessment framework emerges that recognizes sixteen different elements of inclusive and efficient multilevel public sector management (Figure 2.3, Panel A). As noted at the beginning of this section, the **LoGICA Country Profile** captures in-depth information about political, administrative, and fiscal institutions at the different levels or tiers of the public sectors, as well as about the nature of localized service delivery and development in several specific sectors.

Even though both the LoGICA Intergovernmental Profile and the LoGICA Country Profile involve an assessment of political, administrative, and fiscal elements, a clear distinction should be made between the assessment of the multilevel governance **context or systems**—guided by the LoGICA Country Profile—and an assessment of the nature of subnational governance **institutions**. The focus of the LoGICA Intergovernmental Profile—and thus, this report—is exclusively on the nature of subnational governance **institutions** (Figure 2.3, Panel B).

Figure 2.3 Distinguishing between the multilevel governance context and the nature of subnational governance institutions



An assessment of the nature of subnational governance institutions is not a replacement—but rather, an important precursor—to a complete assessment of multilevel governance systems. Unfortunately, this initial step is often skipped by other assessment frameworks.

For instance, a detailed assessment of subnational political structures and intergovernmental political arrangements should be preceded by the determination whether a subnational entity is, in fact, a corporate body or institutional unit that has autonomous and authoritative decision-making power (by considering, for instance, whether the subnational budget is subject to approval by a higher government level). Similarly, any assessment of subnational administrative structures and intergovernmental administrative arrangements should be informed by a determination as to whether the political leadership of the subnational entity does, in fact, have authoritative decision-making power over its own organizational structure, as well as the appointment and management of its own officers and staff. Correspondingly, prior to any discussion of the impact of, say, revenue assignments or revenue autonomy on the effectiveness of subnational governance and subnational services, it is critical to determine whether subnational governance institutions actually have the right to hold and transact assets in their own name; manage their own bank accounts; and authoritatively approve their own budgets.

As such, the exploration of the nature of subnational governance institutions (using the LoGICA Intergovernmental Profile) is an indispensable precursor to a more complete assessment of multilevel governance systems.



**Part II. An Initial Assessment of Local
Governance Institutions in Sub-Saharan
Africa**

3. Overview of Local Governance Institutions in Selected Africa Countries

The structure of subnational governance in selected African countries

The six countries covered in this report illustrate the variety of intergovernmental structures that exist across Africa. Tables 3.1 through 3.4 (next page) capture the overall structure and nature of regional and local governance institutions in selected African countries, grouped into four categories: regional governance institutions; (main) local governance institutions; lower-local (e.g., village or commune-level) governance institutions; and urban governance institutions. Not all countries have all types of subnational governance institutions.

Despite not being a wholly representative sample reflecting the full diversity of the continent, the sample is large enough to demonstrate that different countries opt for different subnational institutional structures. Some countries have a straightforward setup with a single layer of subnational government (e.g. Malawi) while others have a more complex set of institutions operating at numerous levels (e.g. Ethiopia).

Differences in the ‘architecture’ or structure of subnational governance are driven primarily by the (population and/or geographic) size of countries, with more populous countries generally having more subnational governance levels (or tiers) as well as more subnational governance jurisdictions (by level, and overall). Differences in subnational governance structure can further be explained by other factors such as historical context (e.g., colonial as well as post-independence administrative practices), and/or ethnic, linguistic, or religious divisions.

The nature of regional governance institutions in selected African countries

Only three out of the six countries examined have regional governance institutions. The three largest countries measured by population size—Ethiopia, Tanzania and South Africa—have a governance level that can clearly be identified as regional (i.e. operating at the level of state, region, or province). This coincides with the expectation that regional governance institutions are more relevant in countries with large population sizes and/or significant ethnic diversity (e.g. Ethiopia). In the past, some countries in the sample had regional institutions that no longer exist. For example, Malawi was previously divided into three regions, which were important deconcentrated units headed by regional administrators; however, these were abolished under the new constitution and subsequent legislative reforms.

Two out of the three regional governments identified are fully devolved entities, but in Tanzania, regions are deconcentrated administrative divisions of the central government (Figure 3.1). The analysis suggests that generally the further down the subnational architecture an entity operates, the less autonomy it enjoys. As illustrated in Tables 3.1 through 3.4, entities operating at the regional and (to a lesser extent) local levels tend to have more political, administrative and fiscal autonomy than those operating at the lower-local and urban levels.

Table 3.1. Structure and nature of subnational governance institutions: regional governance institutions

Code	Country	Regional jurisdictions			Subnational autonomy and authority (0-3)				Institutional Type
		Name	Number	Avg. Pop.	Institutional	Political	Admin	Fiscal	
ETH	Ethiopia	State governments & federal cities	13	9,490,692	3	3	3	3	Devolution (extensive)
ZAF	South Africa	Provincial governments	9	6,733,888	3	3	3	3	Devolution (extensive)
TZA	Tanzania	Regional administrations	26	2,301,975	0	0	0	0	Non-devolved institution

Table 3.2. Structure and nature of subnational governance institutions: local governance institutions

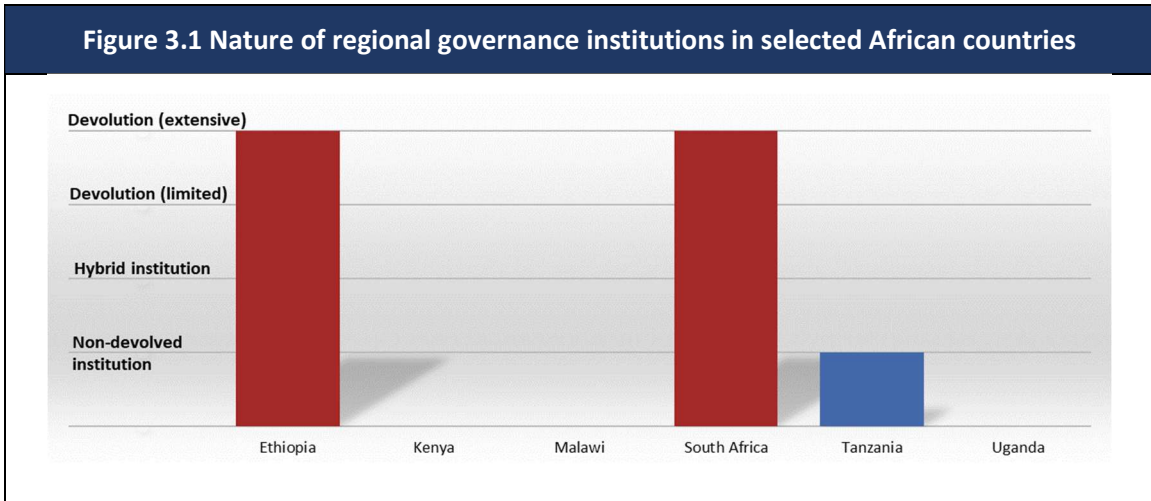
Code	Country	Local jurisdictions			Subnational autonomy and authority (0-3)				Institutional Type
		Name	Number	Avg. Pop.	Institutional	Political	Admin	Fiscal	
ETH	Ethiopia	Woreda and cities	1,320	93,469	2	1	1	1	Hybrid institution
KEN	Kenya	County governments	47	1,149,521	3	3	3	3	Devolution (extensive)
MWI	Malawi	Local government authorities	35	501,821	2	1	1	1	Hybrid institution
ZAF	South Africa	Municipal (local) government	257	235,817	3	3	3	3	Devolution (extensive)
TZA	Tanzania	Local government authorities	184	325,279	2	1	1	1	Hybrid institution
UGA	Uganda	Districts and cities	146	293,739	2	2	1	1	Hybrid institution

Table 3.3. Structure and nature of subnational governance institutions: lower-level local governance institutions

Code	Country	Lower-local jurisdictions			Subnational autonomy and authority (0-3)				Institutional Type
		Name	Number	Avg. Pop.	Institutional	Political	Admin	Fiscal	
ETH	Ethiopia	Kebeles (wards)	15,000	8,225	0	0	1	0	Non-devolved institution
TZA	Tanzania	Village governments	12,454	3,150	1	1	0	1	Non-devolved institution
UGA	Uganda	Sub-counties / towns / municipal divisions	2,165	19,809	2	1	1	1	Hybrid institution

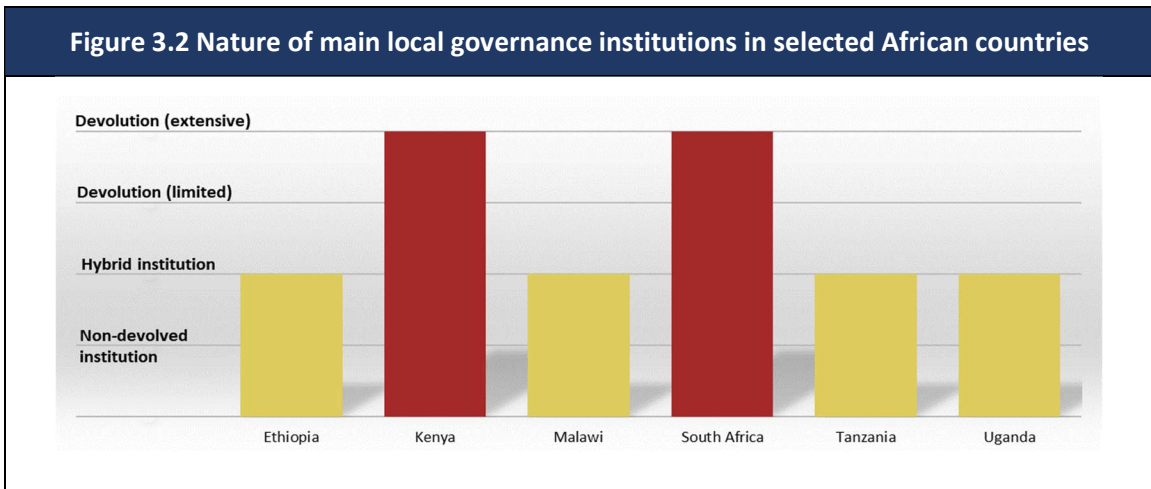
Table 3.4. Structure and nature of subnational governance institutions: urban local governance institutions

Code	Country	Urban jurisdictions			Subnational autonomy and authority (0-3)				Institutional Type
		Name	Number	Avg. Pop.	Institutional	Political	Admin	Fiscal	
KEN	Kenya	Cities and municipal boards	68	104,962	1	0	1	0	Non-devolved institution
UGA	Uganda	Municipalities / city divisions	51	313,656	2	2	1	1	Hybrid institution



The nature of local governance institutions in selected African countries

Although not all countries in our selection have a regional governance level, all six countries have a clear ‘main’ level of local governance. That said, the average population that local governance jurisdictions serve differs markedly across our sample—from under 100,000 residents in Ethiopia to over 1 million in Kenya. Most local governance institutions in our sample have been classified as “hybrid” institutions – meaning that they face significant restrictions in autonomy and authority to the extent that they cannot be considered fully devolved local governments (Figure 3.2). Looking at the scoring of these hybrid entities reveals relative consistency in restrictions placed on local governments across political, fiscal and administrative domains (further explored below).



At the lower-local and urban level, there is even less autonomy where institutions exist. In four out of the six countries examined (Ethiopia, Tanzania, Uganda and Kenya) the study identified distinct entities operating below the local level—in the case of Kenya and Uganda these entities are specifically for urban governments and are institutionally distinct from other entities operating at this level. None are properly devolved and only two reach hybrid status.

4. Assessment of Local Governance Institutions in African Countries

An evaluation of the results presented in Section 3 (including Tables 3.1 through 3.4) generates several important preliminary conclusions that can be further corroborated (or contradicted) when LoGICA Intergovernmental Profiles are conducted for the rest of the continent. This section briefly discusses the main insights from the assessment and subsequently offers some broad reflections on the findings.

There is considerable variation in the nature and degree of empowerment of regional and local governance institutions.

The nature of regional and local governance institutions varies substantially both *within* and *across* the six countries examined. Fully devolved regional and local governments do exist in Africa, including in Ethiopia and South Africa at the regional level and in Kenya and South Africa at the local level. More commonly, subnational governance institutions in Africa appear to fall into the “hybrid” or “non-devolved” categories (e.g. Uganda, Malawi, Tanzania).

As well as institutional diversity across the six countries, institutions differ in nature within countries. For instance, while the highest level or tier of subnational governance in Ethiopia (regional states) and Kenya (counties) can be considered fully devolved governments (as per the definitions of the LoGICA framework), other subnational governance institutions in these countries do not meet the criteria of fully devolved subnational governments. Furthermore, at the local level, we observe that there are more hybrid institutions than fully devolved entities, meaning that in most cases institutions that are frequently referred to as “local governments” in practice do not have the minimum level of autonomy and authority to be considered a true local government.

There are significant restrictions on local authority and autonomy in many African countries.

The limited number of fully devolved local governments in our sample of African countries can be attributed to significant restrictions in autonomy and authority imposed upon local institutions.

- Along the ***political dimension***, limits on autonomy and authority are reflected by routine interference from higher levels of government (e.g. Ethiopia); requirements for local laws or decisions to be approved by the central government (e.g. Tanzania); and the appointment of national MPs as voting members of local councils (e.g. Malawi) – all of which significantly restrict the ability of local representatives to formulate local policies solely in accordance with the priorities of their constituents.
- Along the ***administrative dimension***, limits on autonomy and authority are reflected by local entities being managed and staffed by officials appointed by higher levels of government (e.g. Uganda); and/or local entities being unable to determine their own

organizational structures (e.g. Tanzania) both of which significantly restrict their ability to implement priority programs in accordance with local priorities.

- Along the *fiscal dimension*, local budgets commonly require approval by higher levels of government (e.g. Malawi) or the national parliament (e.g. Uganda) and/or can be adjusted if the local budget is not in line with national priorities (e.g. Tanzania). In addition, with some exceptions, local governance institutions in Africa typically lack fiscal space, resulting in a heavy reliance on tightly earmarked fiscal transfers to finance local services and development (e.g. Uganda) which severely restrict local fiscal autonomy in the financing of local priorities.

In many cases, these limits on local authority and autonomy are clearly spelled out in law

While in some countries there are differences between *de jure* arrangements and the *de facto* reality faced by local governance institutions, in many countries the law is very clear on the intended limits on local autonomy and authority.

For instance, the intent of Malawi's Local Government Act (1999) to limit local government autonomy by centrally appointing officers is clearly stated in the law, as "[t]he Chief Executive Officer or the District Commissioner shall be appointed by the Minister."

Likewise, Tanzania's Local Government Finance Act (2019) is clear about the degree of authority and autonomy of local government authorities by stating that "[w]here at any time during the implementation of the annual or supplementary budget it appears to the Minister that a local government authority is in contravention of any national policies, guidelines or standards, he shall take appropriate measures to ensure that these are complied with and, for that purpose, may issue directives for the implementation of those measures, and such directives shall be binding on the local government authority."

In other countries, there are contradictions in the legal framework or gaps between the legal situation and actual practices

The assessment of the nature of local governance institutions is not based on their legal or *de jure* status, but rather, on the actual or *de facto* situation. As may be expected, in some cases, there are differences in the stated nature of local governance institutions and the reality on the ground. In fact, it is common for local government legislation to declare that "each Council shall be a body corporate," only for subsequent articles of the act to limit the autonomy and authority of the institution in a way that is irreconcilable with the concept of an autonomous corporate body.

For instance, in Malawi, as already pointed out above, the Local Government Act (1998)—which declares local councils to be corporate bodies—does not give the elected local council the power to appoint its own Chief Executive Officer or the District Commissioner, and is very clear in stating

that any laws passed by local councils must be approved by the (national) Minister who also has the power to nullify any actions that are deemed contrary to national policies.²

In other cases, the gap between the legal framework and the actual situation is more subtle. For instance, *woredas* (district governance institutions) in Ethiopia are legally considered to be corporate bodies with the power to appoint their own officers and staff. In practice, however, it is not uncommon for regional state governments to ‘send’ officers and staff to be posted at the *woreda* level. *Woredas* leaders have little choice but to accept such appointments.

The limitations on political, administrative, and fiscal autonomy and authority appear to be quite balanced in most countries reviewed

The assessment of the nature of local governance institutions is determined by the dimension that is the least empowered. This means that the result could be determined in one of two ways: either there is a degree of balance in autonomy and authority across the dimensions (i.e., they are all high or low), or there are one or two dimensions that are less empowered than the others.

Across the six local government entities presented in Table 3.2, five countries display identical scores across political, administrative and fiscal dimensions (the one exception being Districts in Uganda). While there is a little more diversity in scoring of entities at lower-local and urban levels, there are no major discontinuities in the extent of decentralization when looking across the three dimensions. This suggests that there are no ‘easy fixes’ with respect to increasing the extent of decentralization in the countries examined—rather, the identified issues seem to be structural in nature. On the other hand, it may be premature to read too much into this without further research, since the scoring methodology of the IGP is relatively light touch, asking only a limited number of questions about what is a complex set of governance arrangements.

Comparing local governance institutions in Sub-Saharan Africa with other global regions

How does the state of local governance institutions in Sub-Saharan Africa compare with other global regions? It is difficult to definitively answer this question, as there is—as of yet—no complete assessment of the state of local governance institutions in Sub-Saharan Africa, nor in the other global regions. Nonetheless, some initial patterns are starting to emerge.

Perhaps the biggest dichotomy in the global state of local governance institutions is between the relatively developed countries of North America, Latin America, Council of Europe countries, and other OECD countries, versus countries in the other global regions. Whereas devolved local governments with extensive powers and functions are the norm in more highly developed countries (with non-devolved or hybrid local governance institutions being the exception), this situation appears to be reversed in the other global regions (Asia, MENA and Sub-Saharan Africa).

² Likewise, in Kenya, cities and municipal boards are *de jure* corporate bodies under the Urban Areas and Cities Act (2011) but in practice, they are non-devolved institutions as their board is appointed by the county government and they generally lack the authority to manage their own funds.

For instance, the mixed picture observed in the Africa region appears to resemble that of the Asia region. The limited extent of truly devolved local government across the six countries of sub-Saharan Africa examined so far is somewhat similar to the pattern observed in the Asia region, where highly centralized countries (e.g. Bangladesh, Timor-Leste) co-exist with those where (previous or current) central planning and authoritarian governance arrangements limit the extent of true devolution (e.g. China, Vietnam), as well as countries that have undergone significant decentralization (e.g. Indonesia and the Philippines).

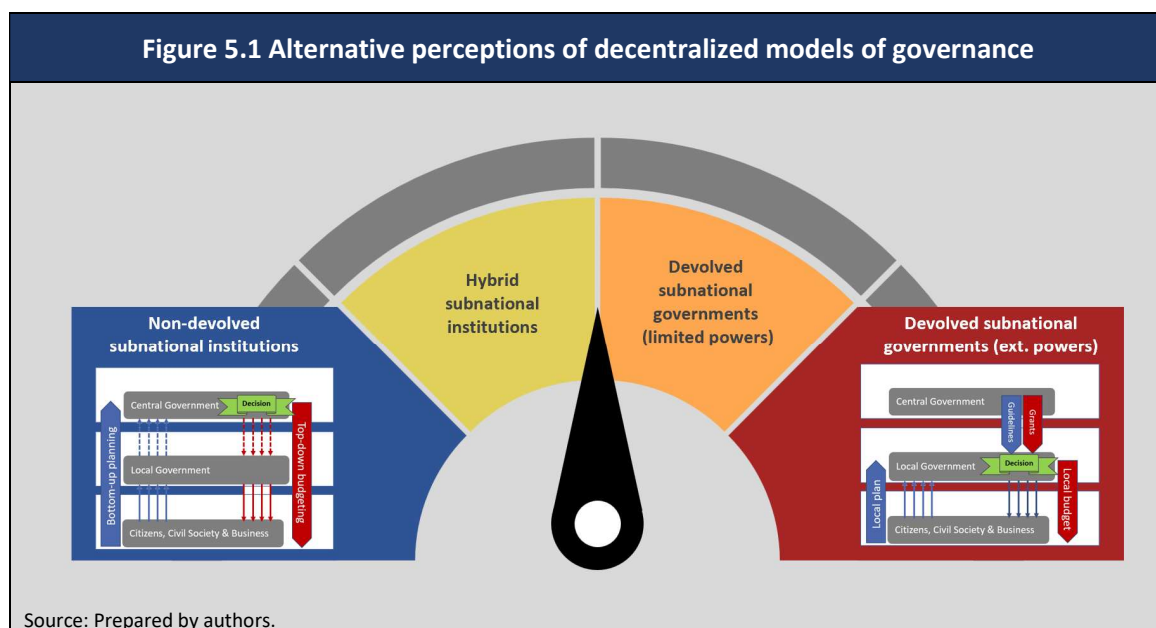
5. Conclusions and Policy Implications

Different perspectives on the role of local governance institutions in Africa

When considering the differences in nature of the subnational governance institutions covered in this assessment, it may be useful to recollect two distinct models of subnational governance commonly observed in developing countries.

The first is the system of ‘bottom-up’ (or ‘participatory’) planning combined with ‘top-down’ decision-making (Figure 5.1, left-hand side). This arrangement is traditionally associated with non-devolved local governance institutions. Under this approach, priorities are identified at the local level, which are then passed up to the regional and/or national level, with decisions about resource allocation ultimately being made at the higher level. While this system does *involve* local governance institutions in public decision-making (and enables higher levels of government to make claims about ‘decentralizing’ responsibility), authoritative decision-making power is retained at the higher level. Subnational institutions in Malawi and Tanzania perhaps best exemplify this model of local governance, where ultimate decision-making power is retained by the national government.

The second is the system of ‘devolved planning and finance’ (Figure 5.1, right-hand side) which allows local governments to make their own decisions on the use of available resources. Local governments may still rely extensively on fiscal transfers from the central government to finance their activities and be required to follow certain regulations or guidelines, but they nonetheless still have a large amount of discretion over what those funds are used for. This model of decentralization allows for a much more meaningful local planning process, in which local choices must be made under clear budget constraints and where long ‘wish-lists’ of projects that are never funded are avoided.



Examples of truly devolved local governments in our sample of countries would include county governments in Kenya or provincial and municipal governments in South Africa. Even though these devolved subnational governments are predominantly financed by unconditional transfers (and/or own source revenues), they have autonomy and authority to decide how to prioritize and allocate their resources.

It is important to recognize that one perspective or model of decentralization is not necessarily superior to the other. It is, however, important to be clear what type of decentralization is being pursued in different countries. While both perspectives or models are valid approaches to *decentralization*, based on the definition of subnational governments established above, only one of these two approaches can be referred to as *devolution*, with power, responsibilities, and resources being assigned to autonomous local governments.

The *nature* of local governance institutions matters...

Despite the existence of the two very different ‘textbook’ models of local government presented in Figure 5.1 it is still common to observe in the literature and in policy discussions the generic use of the term “local governments” as a catch-all to describe any governance institutions that operates below the central government level. However, in reality – as this assessment has shown – there are a wide variety of subnational governance institutions observed within and across countries, with considerable differences in the degree of empowerment they exercise.

This matters because it affects the extent to which local governance institutions can meaningfully contribute to resolving public policy problems through their own initiative. This in turn affects the degree to which they can be held accountable for local socioeconomic outcomes and impacts the local democratic process itself. If local governance institutions are weakly empowered to provide public services and promote local economic development, it is not realistic to believe that they will be able to solve the major public policy problems by themselves.

... but so does the intergovernmental context and the *responsibilities* assigned to them

While this assessment has focussed on the *nature* of subnational governance institutions, this shouldn't be the only concern of (subnational) governance practitioners. In particular, the intergovernmental or multilevel governance context within subnational governance institutions operate, as well as the scope and extent of functional (expenditure) assignments is also particularly significant. Local governance institutions may or may not be given a degree of institutional autonomy, but if they have not been assigned any functional responsibilities, or if functions are not accompanied by adequate funding, then local government autonomy will not translate into meaningful empowerment.

For instance, in Malawi, contrary to the aspirations of its decentralization policy, the planning, budgeting, procurement, and implementation of infrastructure projects (i.e., the majority of discretionary expenditures) across almost all sectors is still carried out by central government.

Similarly, in Kenya, while counties have a significant degree of autonomy in a range of public service delivery functions, they are still limited by the specific functions assigned to them under legislation – most notably, they continue to play no role in the financing or delivery of services for the entire education sector which accounts for a large proportion of government expenditure. In addition, the vertical distribution of funding is some (constitutionally) devolved sectors—such as water and sanitation—is heavily skewed in favor of the national government.

Ultimately, if subnational governments have few service delivery responsibilities assigned to them, their institutional nature is arguably of second order importance.

Implications for local democracy and urbanization in Africa

The limited extent of empowerment observed at the lower-local and urban governance levels is particularly concerning given the broader context of urbanization in sub-Saharan Africa. As the fastest urbanizing region in the world, local governments in Africa face critical challenges in providing their citizens with adequate services, such as drinking water, sanitation, electricity, and quality housing.

While the provision of these services is normally the responsibility of local urban governments, if they do not have the necessary level of autonomy to finance and manage service delivery, urban populations are likely to continue suffering from their under-provision. This is a particular risk in countries where authority is vertically divided – that is, where the central government is run by one party and local governments are run by another, resulting in highly politicized central-local intergovernmental relations.

Implications for decentralized cooperation

The specific characteristics of subnational governance institutions are not always sufficiently recognized by development agencies and practitioners, which can lead to unrealistic expectations by development partners about what subnational governance institutions in Sub-Saharan Africa are able to achieve, potentially undermining development efforts to improve service delivery and local economic development.

Understanding more clearly the degree of autonomy and authority of subnational governance institutions – as well as their functional responsibilities – is therefore of critical importance when designing and implementing externally-financed development programs. Avoiding unrealistic assumptions about the extent to which local governance institutions can contribute to the outcomes of such programs is important in setting realistic expectations about the impact that external stakeholders can deliver.



**Part III. Intergovernmental Profiles for
Selected Countries in Sub-Saharan Africa**

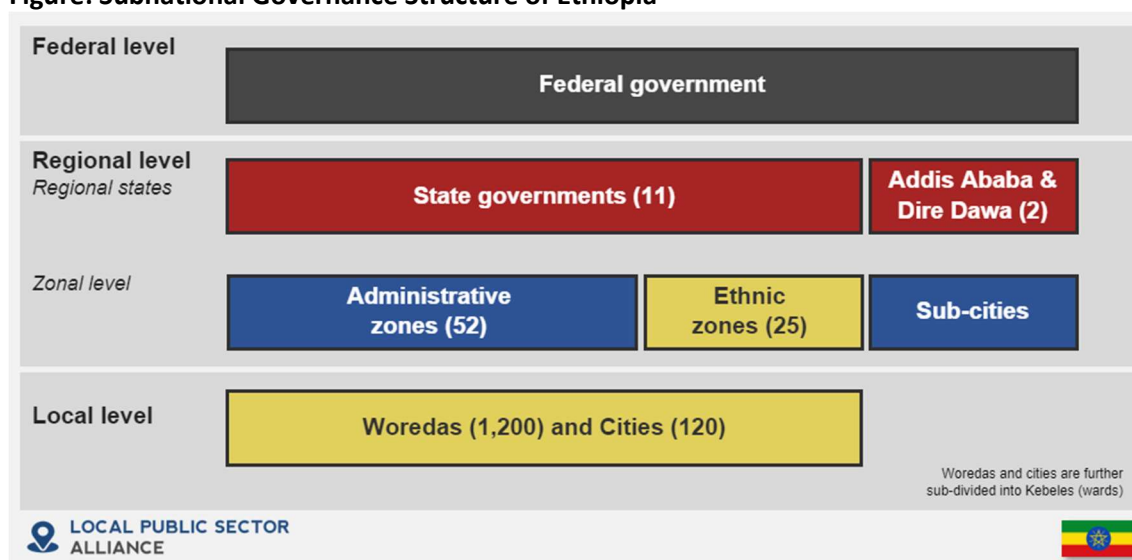
Intergovernmental Profile: Ethiopia

decentralization.net/countries/ethiopia/

Zemelak Ayele, April 2023

Overview. Previously a centralized unitary state, Ethiopia, a country located in the Horn of Africa region, has undergone a decentralization process in two phases over the past thirty years. The first phase of decentralization, which began in 1991, culminated when the country became a federal state following the promulgation of the 1995 constitution. The second phase of decentralization, implemented in the early 2000s, started the process of gradually devolving the responsibility for frontline services from the regional states to the local government level. Ethiopia now has a federal system with a federal government and 11 regional states and two federal cities. State constitutions generally provide for a three-tier local governance structure below the regional states. In practice, however, the powers and functions of regional state governments and local governance institutions continue to be substantially intertwined.

Figure: Subnational Governance Structure of Ethiopia



Subnational Governance Structure. The 1995 constitution of Ethiopia has created two orders of government – federal and regional (state) governments. Eleven regional states and two federal cities (Addis Ababa and Dire Dawa) constitute the primary territorial and administrative subdivision of the Ethiopian federation. The constitution only implicitly envisages that there would be a local government system that would serve the purpose of accommodating intra-state ethnic minorities and provision of basic services. The states, using their constitutions and ordinary statutes, have created three-tiered local governance system, with institutions at the zonal level (administrative and ethnic zones), the woreda (district) and city level, and the kebele (ward) level. Woreda and cities form the most important tier of local government as far as the provision of basic services is concerned.

Nature of Subnational Governance Institutions. Regional states and federal cities could be considered as truly devolved sub-national governments even if they operate within a political context where all levels of government are under a single political party and there is a political culture in which senior levels or tiers of government routinely intervene in the affairs of lower-levels or units of government. Even though notionally autonomous, governance institutions below the regional states are typically beholden to the regional government without clear walls between state and local government powers and functions. In practice, woredas and cities are hybrid local governance institutions, combining features of devolved and deconcentrated governance.

Table. Nature of subnational governance institutions in Ethiopia: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
State governments and federal cities	3	3	3	3	Devolution (extensive)
Administrative zones / ethnic zones	1	0	1	0	Non-devolved institution
Woreda and cities	2	1	1	1	Hybrid institution
Kebeles (wards)	0	0	1	0	Non-devolved institution

Functional Assignments. The 1995 constitution divides functions and powers between the federal and state levels of government. It contains some 22 broadly defined federal functions and leaves residual powers to the states. In turn, local governments are expected to exercise the functions that the states have assigned to them through state constitutions or state legislation. While state constitutions are less than explicit on the specific functions and powers of local government, the latter (woredas and cities) are engaged in the provision of basic services such as primary health care, primary education, water, and the like. Cities provide additional urban-specific services, such as garbage collection, firefighting, and the like.

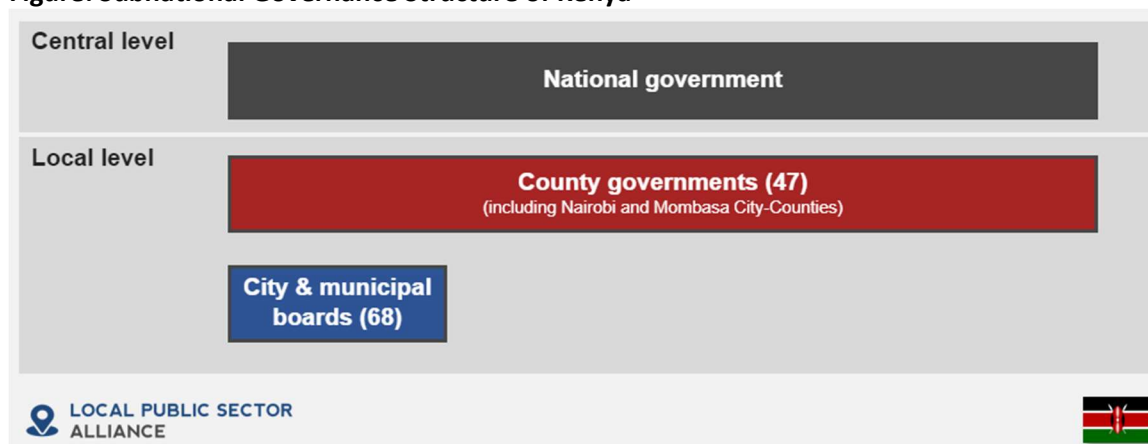
Intergovernmental Profile: Kenya

<https://decentralization.net/countries/kenya/>

Jamie Boex, September 2023

Overview. Kenya adopted a new constitution in 2010 based on a two-tiered devolved government system, which assigned many formerly central government public service delivery responsibilities to a new level of county governments. As an institutional response to longstanding grievances, this radical restructuring of the Kenyan state had three continuing main objectives: decentralizing political power, public sector functions, and public finances; ensuring a more equitable distribution of resources among regions; and promoting more accountable, participatory, and responsive government at all levels. Three rounds of national and county elections (held in 2013, 2017, and 2022) resulted in successful transitions of political and administrative power that place important service delivery responsibilities at the county level. Although Kenyans associate devolution with certain dividends brought about by the constitution, different aspects of Kenya’s multilevel governance structure—including increasing public participation and accountability, improving county administration and services, and ensuring an equitable and efficient use of public finances at all levels—continue to be a work in progress.

Figure: Subnational Governance Structure of Kenya



Subnational Governance Structure. The first elections under the new constitution were held in 2013 and led to the establishment of 47 new county governments. Each county government is made up of a County Executive, headed by an elected governor, which works under the oversight of an elected County Assembly. County governments fulfill their constitutionally mandated responsibilities, financed by annually prescribed shares (“equitable shares”) of national revenues; their own sources of revenues (own-source revenues); and various conditional grants from the national government and development partners. The 2010 constitution abolished the elected local governments that previously existed; instead, the post-devolution legal framework established cities and municipalities with appointed urban boards. Although County Governors were initially hesitant to establish municipal boards, the World-Bank supported Kenya Urban Support Project (KUSP, 2017-2023) provided counties with support and incentives to establish

urban boards. In addition to the City-Counties of Nairobi and Mombasa and two cities (Nakuru and Kisumu), by 2023, county governments had established 66 municipal boards.

Nature of Subnational Governance Institutions. Each county government is a constitutional, legal, and de facto body corporate made up of a county executive, headed by an elected governor, and an elected County Assembly that legislates and provides oversight. Each county has its own County Public Service Board to establish and abolish offices in the county public service; appoint persons to hold or act in offices of the county public service (including in the boards of cities and urban areas within the county); and to perform other human resource management functions. The County Secretary, recruited by the county government’s political leadership under the County Governments Act (2012), is the head of the county public service. In contrast to the political, administrative, and budgetary autonomy and authority enjoyed by County Governments, the governance and management of urban areas and cities is based on a principal-agency relationship between the boards and their respective county governments. Although cities and municipalities are de jure corporate bodies under the Urban Areas and Cities Act (2011), in practice, they are non-devolved institutions, as their board is appointed by the county government; the municipal manager is appointed and employed by the county government; and their budgets are generally included in the county budget as a county budget vote. Municipal boards generally lack the authority to manage their own funds.

Table. Nature of subnational governance institutions in Kenya: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
County governments	3	3	3	3	Devolution (extensive)
Cities and municipal boards	1	0	1	0	Non-devolved institution

Functional Assignments. The Constitution laid out a strong foundation for sharing responsibilities and resources between the National and County governments, with Counties being assigned significant powers and frontline service delivery functions, including agriculture and livestock services, county health services, county transport, planning and development; county public works, including water and sanitation, pre-primary education and childcare facilities, and other services. Although the Transition Authority had envisioned a more gradual transfer of functional responsibilities, County Governors demanded—and received—the transfer of facilities, functionaries and funds associated with their constitutional mandates in 2013. The national government retains the power of primary and secondary education, while assuming a typically “central” mandate around policy, standards, and norms. A constitutional guarantee of unconditional transfers from the national government to county governments was intended to give county governments the means and the autonomy to address local needs. Although County Governments are the de facto frontline service providers in a wide range of functions, their ability to perform these functions continues to be limited by a relatively high degree of centralization of fiscal resources, and a lack of intergovernmental coordination and cooperation in different sectors.

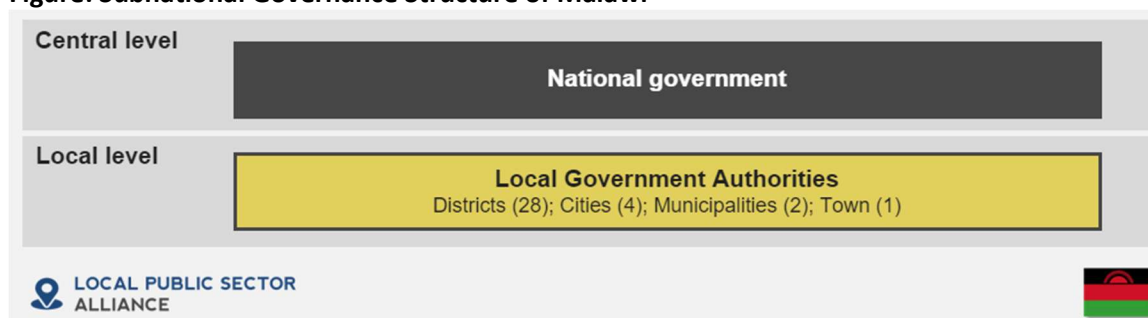
Intergovernmental Profile: Malawi

<https://decentralization.net/countries/malawi/>

Asiyati Chiweza, December 2023

Overview. Malawi is a democratic republic in Southeast Africa. The country's intergovernmental arrangements today originate from the Constitution of 1994, which formally transitioned Malawi from a one-party state to a democratic, multi-party system of government. The Constitution established Local Government Authorities (LGAs) and a subsequent decentralization policy was adopted in 1998 to translate aspirations for local government into reality, supported by the Local Government Act of the same year (amended in 2010). In practice, however, the extent of decentralization has been limited across all key dimensions (political, administrative, and fiscal) with significant powers retained by the central government, resulting in limited de facto autonomy for LGAs, reducing their ability to fulfil their prescribed mandates.

Figure: Subnational Governance Structure of Malawi



Subnational Governance Structure. Malawi is a unitary state with a single tier of subnational government, formally known as Local Government Authorities (LGAs) but commonly referred to as Councils. Out of the 35 LGAs in total, 28 are district councils which serve rural jurisdictions, while 4 are classified as city councils and 3 are municipal or town councils, which serve urban areas. Rural and urban LGAs are equivalent to one another, with no subsidiary or supervisory structure, meaning that all local authorities are independent from each other. Previously, Malawi was divided into three regions, which were important deconcentrated units headed by regional administrators; however, these were abolished following the 1998 reforms. While regions remain important geographical units of organization, they no longer have any institutional structure.

Nature of Subnational Governance Institutions. Malawi's LGAs fall under the category of "hybrid" subnational government institutions. Although LGAs are constitutional, legal and de facto corporate bodies with their own political leadership, chief executive officers, staff and budget, in practice autonomy and power in each of these areas is significantly restricted. As a matter of law, national MPs are voting members of the local council for the constituency they represent, and any by-laws made by the council require approval from the national government. Furthermore, the CEOs and Commissioners of LGAs are centrally appointed, as are most of the staff serving the

secretariats, who are subordinate to both the LGA and their parent ministries at the national level. On the fiscal side, even though LGA budgets are approved by the council, they must also be formally approved by the national parliament as they are included as a vote in the national appropriation bill. All of these factors serve to underline that LGAs in Malawi cannot be considered as fully devolved local governments.

Table. Nature of subnational governance institutions in Malawi: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
Local Government Authorities	2	1	1	1	Hybrid institution

Functional Assignments. The second schedule of the Local Government Act (1998) defines the functions and responsibilities of LGAs vis-à-vis the central government. While the functional division of responsibilities appears clear in the formal legislation and policy, in practice it is quite different. Most importantly, the central government retains considerable control over human resource management for devolved functions, thereby limiting the control that elected leaders have over devolved functions. In addition, in the education sector, only certain aspects of primary education are currently financed by LGAs, with other functions that should have been devolved (e.g. ECE and distance learning) being retained at central level. At the same time, there are several functions that are being implemented by LGAs as planned (e.g. primary health, water supply, agricultural extension services) and there are also sub-sectors that were not originally planned to be devolved (e.g. secondary healthcare) but in practice have been. Nevertheless, contrary to the aspirations of the decentralization policy, the planning, budgeting, procurement, and implementation of infrastructure projects across most sectors is still done at central level. Similarly, certain large operational expenditures (e.g., textbooks, drugs) are retained at the central level.

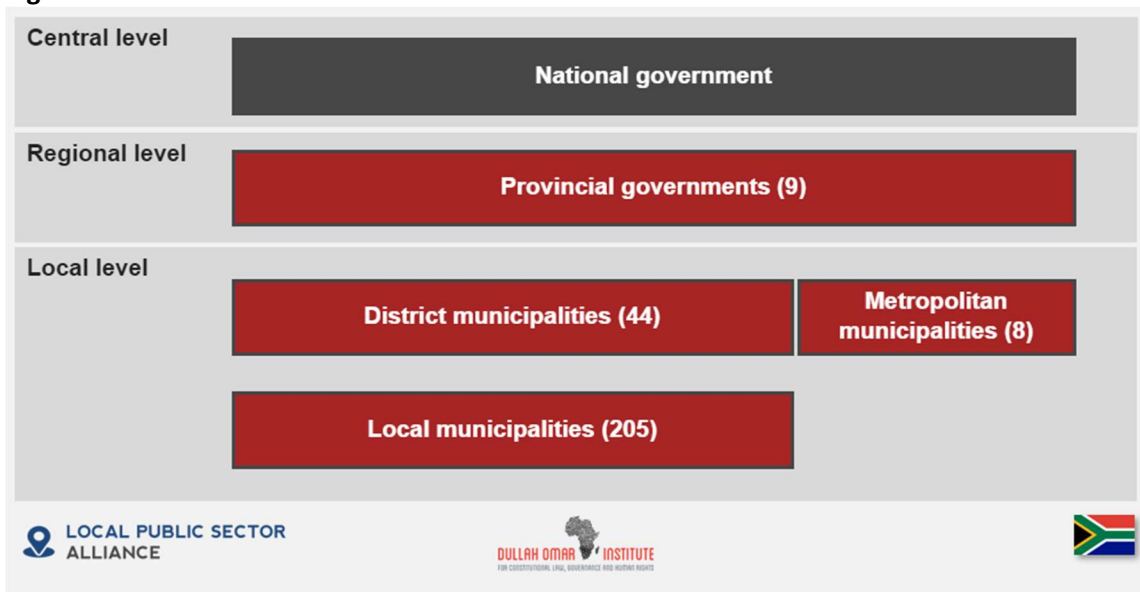
Intergovernmental Profile: South Africa

<https://decentralization.net/countries/southafrica/>

Tinashe Chigwata, February 2023

Overview. South Africa is a country at the southernmost tip of the African continent. It has a multilevel system of government organized at the national, provincial (regional) and municipal (local) levels. The country's current system of cooperative multilevel governance is anchored by the progressive Constitution adopted in 1996. The provincial layer of government is constituted by nine provincial governments, which provide major social services such as health, education and social welfare. The local layer of government consists of 257 municipalities of different sizes. Municipalities, which are charged with the delivery of basic municipal services (local roads, solid waste management, water, electricity, sanitation, etc.), are the sphere or tier of government closest to the people. As a result, they tend to have most contact with citizens relative to the central and provincial governments. Provincial and municipal governments in South Africa are both autonomous, highly devolved subnational government entities, with local governments having a somewhat greater degree of autonomy compared to the provincial governments.

Figure: Subnational Governance Structure of South Africa



Subnational Governance Structure. South Africa is a quasi-federal country as its multilevel system of government has both federal and unitary elements. The 1996 Constitution of South Africa provides the overarching framework for central-provincial-local relations. Provinces are the primary or first territorial-administrative subdivision of South Africa. Local government, comprised of municipalities, is the secondary territorial-administrative subdivision. Municipalities are classified into metropolitan, local and district municipalities.

Nature of Subnational Governance Institutions. Provinces and municipalities in South African meet the criteria of devolved subnational governments with extensive powers and functional responsibilities. Their existence is constitutionally defined and not dependent on the goodwill of higher tiers of government, nor do provincial or local governments require the approval of higher-level governments before implementing laws and policies. However, higher levels of government are equipped with supervisory powers over lower levels of government. In addition, in both law and practice, provinces are less autonomous compared to municipalities.

Table. Nature of subnational governance institutions in South Africa: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
Provincial government	3	3	3	3	Devolution (extensive)
Municipal (local) government	3	3	3	3	Devolution (extensive)

Functional Assignments. The assignment of functions and responsibilities in South Africa is based on the principle of cooperative governance. The 1996 Constitution of South Africa provides that the central, provincial and local spheres of government are distinctive, interdependent and interrelated. This means that while the spheres of government are independent governments in their own right, they rely on each other and must work together to ensure effective delivery of public services to the citizens. The assignment of functional responsibilities to these spheres follows a collaborative rather than individual approach. For instance, the central and provincial governments have concurrent competence over a number of public service functions. Both the central and provincial governments can regulate the exercise of local government functions. Thus, in practice more than one tier of government is often involved in the delivery of a functional responsibility either as a policy setter, funder or actual provider of the public service. However, there are exceptions in areas such as defense, customs, and security- which are reserve for the central government.

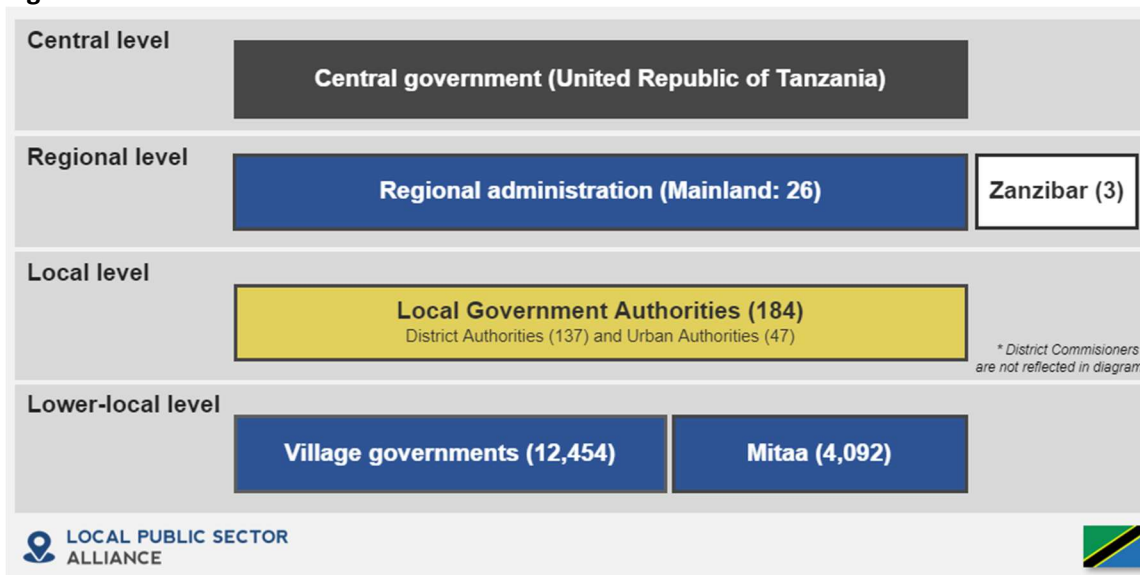
Intergovernmental Profile: Tanzania

<https://decentralization.net/countries/tanzania/>

Nazar Sola, December 2023

Overview. The United Republic of Tanzania is a union of two sovereign states: the Republic of Tanganyika and the People’s Republic of Zanzibar. A treaty of Union was concluded on April 22, 1964, resulting in one United Republic. In mainland Tanzania (formerly Tanganyika), decentralization has ebbed and flowed through several phases, intertwined with political upheavals. The first phase (1967-72) involved a process of re-centralization of power in which local governments were abolished and replaced with centrally coordinated planning via deconcentrated administration. The second phase (during the 1980s) saw the re-establishment of elected local government authorities after the rapid decline in essential services under the earlier phase. The third phase (from 1996 onwards) has been to promote the autonomy of local governments to enhance their effectiveness under the Decentralization by Devolution (D-by-D) principle. Despite the government’s formal policy in support of devolution over the past quarter century, local government authorities in Tanzania retain many centralized elements in their institutional setup (e.g., limited administrative autonomy and a reliance on earmarked grant resources from the center).

Figure: Subnational Governance Structure of Tanzania



Subnational Governance Structure. At the central government level, Tanzania is governed by two governments: (i) the Government of the United Republic, which exercises powers over all union matters as well as non-union matters within mainland Tanzania; and (ii) the Revolutionary Government of Zanzibar which is an autonomous government that exercises powers over non-union matters in Zanzibar. Mainland Tanzania is divided into 26 administrative regions. These regions are deconcentrated administrations playing oversight, advisory and coordinating roles in

service delivery undertaken by Local Government Authorities (LGAs). There are 184 LGAs in mainland Tanzania out of which 137 are rural district authorities and 47 are urban authorities. Urban LGAs consist of 6 city councils, 20 municipal councils and 21 town councils. Below the LGAs are village governments (in rural areas) and mitaa (urban neighborhoods). Below the villages are sub-village units called vitongoji.

Nature of Subnational Governance Institutions. Subnational governance in Mainland Tanzania is characterized by a mix of non-devolved and hybrid subnational governance institutions. Regions are deconcentrated administrative entities that lack their own elected political leadership, are managed by central government staff, and are funded via regional votes in the central government budget. Although LGAs are legally defined as corporate bodies, in practice, they are hybrid entities with both devolved and non-devolved features. While LGAs have their own elected political leadership, formally employ their own officers and staff, and approve and manage their own budgets, in practice LGAs lack autonomy in several areas. For instance, they do not appoint their own Executive Director; are not able to determine their own organizational structures; and have limited authority over their officers and staff. In addition, the de jure and de facto control of elected local leaders over their own budgets is severely constrained by the higher-level government. Village governments do not meet the definitional requirements of local governments because they are not de facto corporate bodies (due to the fact that they do not select or employ their own officers) which severely limits their authority in practice.

Table. Nature of subnational governance institutions in Tanzania: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
Regional Administration	0	0	0	0	Non-devolved institution
Local Government Authorities	2	1	1	1	Hybrid institution
Village Governments	1	1	0	1	Non-devolved institution

Functional Assignments. Local government functions are assigned in the Local Government (District and Urban Authorities) Acts of 1982, while intergovernmental relations are structured under the Regional Administration Act, 1997 (as amended). LGAs formally provide and coordinate provision of agricultural, trade, commerce and industry services as well as basic social services including pre-primary, primary and secondary education, primary health, and agricultural extension services. Despite LGA's extensive formal role in public service delivery provision, in practice, central government ministries are extensively involved in local-level planning, decision-making, human resource management, and service delivery implementation. In addition, several functional responsibilities have been moved away from LGAs over recent years. These include the provision of water and sanitation services which are now under the authority of the Rural Water Supply and Sanitation Agency (under the Ministry of Water) as well as road transportation, which is now under the Tanzania Rural and Urban Road Agency.

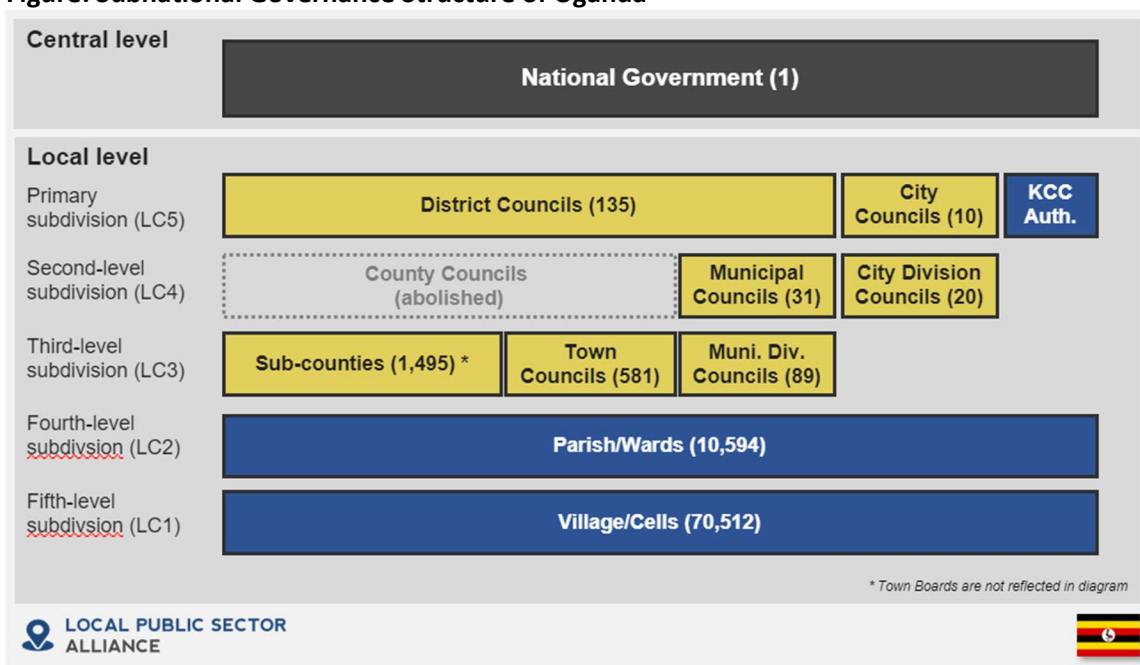
Intergovernmental Profile: Uganda

<https://decentralization.net/countries/uganda/>

Martin Wabwire, December 2023

Overview. Uganda is a unitary republic in Eastern Africa. The country’s intergovernmental architecture is based on directives principle and provisions contained in the 1995 Constitution, which indicates that the State “shall be guided by the principle of decentralisation and devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their own affairs.” The constitution further specifies that the local government system is based on district units, under which there shall be such local governments and administrative units as provided for by national legislation. In practice, local governance in Uganda is structured across five levels, ranging from the District and City Councils level (immediately below the national government) to Villages and Cells closest to the people. Local governments deliver a wide range of basic services, including primary education, healthcare, roads, water supply and agricultural extension services. In practice, however, local governments in Uganda have limited autonomy, due to the central government maintaining significant budgetary and administrative control over their activities, as well as through sector policies, standards and intergovernmental grant arrangements which are prescriptive and significantly limit local discretion.

Figure: Subnational Governance Structure of Uganda



Subnational Governance Structure. Uganda has a multi-level system of governance organized at national and local levels. The Local Government Act (1997, as amended) sets out the territorial-

administrative structure of the country into five levels across urban and rural areas, consisting of 135 District and 10 City Councils at the first level of subdivision (LC5); 31 municipal and 20 city division councils (LC4); 1,495 sub counties, 581 town councils and 89 municipal division councils (LC3); 10,594 Parishes/Wards (LC2); and 70,512 Villages/Cells (LC1). In 2011, the governance of Uganda’s Capital, Kampala, was transferred from Kampala City Council to the Kampala Capital City Authority (KCCA).

Nature of Subnational Governance Institutions. Local governments and lower local governments in Uganda fall under the category of “hybrid” subnational governance institutions. The political organ at the center of all subnational entities is the council, whose members are elected in regular elections. Following a Constitutional amendment in September 2005, the right to hire and fire district chief administrative officers (CAOs) reverted to central government. Local governments finance their constitutionally mandated responsibilities from their own sources of revenues and various (often tightly earmarked) conditional grants from the national government and development partners. Although the constitution articulates that local governments are fully devolved entities, de facto they are not, due to several restrictions on their autonomy and decision-making powers imposed by higher levels of government. On the fiscal side, these include the requirement for local budgets (including own source revenues) to be approved by higher levels of government and the extensive use of conditional transfers that limit budgetary discretions. On the administrative side, local governments are unable to appoint their own CEO (they appointed by the central government) nor determine their own organizational structure. Furthermore, in practice, local government staff are subject to dual subordination to the central government as well as their respective local entity.

Table. Nature of subnational governance institutions in Uganda: subnational autonomy and authority (0-3)

	Inst.	Pol.	Adm.	Fiscal	Institutional Type
Districts / Cities (LC5)	2	2	1	1	Hybrid institution
Municipalities / City Divisions (LC4)	2	2	1	1	Hybrid institution
Subcounties / Towns/ Mun. Div. (LC3)	2	1	1	1	Hybrid institution
Parishes / Wards (LC2)	0	0	0	0	Non-devolved institution

Functional Assignments. The legal assignment of functions and expenditure responsibilities to local governments is provided by the Constitution and the Local Government Act (1997). The second schedule of the Local Government Act lists the functions that remain with the national government and those assigned to local governments. In practice, the assignment of functions at local government levels is determined to a large degree by conditional grant financing arrangements as well as sector specific laws and guidelines. These include a variety of grants for wages and non-wage recurrent activities, as well as development grants and donor funded activities. Despite their limited autonomy, local governments play an important role in public service provision and are responsible for major functions and services including primary education; healthcare; construction and maintenance of roads; water supply; agricultural extension services, land administration and surveying; and community development. However, there are some functions assigned to LGs that de facto remain at the central government level. For instance, secondary education, where the recruitment, appraisal and discipline of teachers is retained by the central government.

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