

Through Structural Adjustment to Transformation in Sub-Saharan Africa

Edited By

**Hasa Mfaume Mlawa
and
Reginald Herbold Green**



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Dedication

This volume is dedicated to all who contributed to the 1986-1994 Study Seminar Series on, "Through Structural Adjustment to Transformation in sub Saharan Africa" through participating in it whether as staff speakers or participants. In particular, the volume is dedicated to the memory of Professor Ojetunji J. Aboyade- the first African co- director to this seminar series- who sadly enough passed away peacefully in his sleep on 31st December, 1994 (*i.e.* on the eve of the 1995 New Year). Prof. Aboyade was popularly known in the seminars as "OJ." OJ's participation, insights, creativity and perception on the need for the adjusting country to take the lead in drawing up and pursuing an agenda for adjustment and own the process of adjustment and transformation had tremendous influence on the orientation and evolution of the seminars. We keep on praying for the ALMIGHTY GOD to keep OJ's blessed soul in eternal peace-AMEN.

Foreword

Policies and programmes for socio-economic development must aim at improving the lives of people. Development, that is, has to be people-centered: it must aim at reducing the poverty levels of the majority of the people and empower them so that they can better manage their lives.

Since the past decade or so many Sub-Saharan (SSA) countries have been implementing stabilization/structural adjustment programmes. These programmes aim at restoring economic growth in an effort to improve the conditions of life of the majority.

The chapters in this volume review the experience of a number of SSA countries with respect to both the design and execution of stabilization and adjustment programmes during the 1970s and 1980s. They also examine the impact of the programmes in regenerating growth in the sub-region.

The authors argue that while these adjustment programmes have been successful in reversing particular aspects of economic decline trends in the countries in the sub region, by and large, more efforts need to be made to reduce poverty levels. GDP per capita, for example, remains very low in many SSA countries, while unemployment levels remain very high indeed and the trend appears to be on the increase.

The chapters in the volume observe that in order to deepen the adjustment process leading to long term transformation in SSA economies a number of essential prerequisites have to be satisfied. These include:

- i) A broad political consensus among the people on the need for adjustment and transformation in the sub region;
- ii) Investing more in human resource development, infrastructure and institutional capacity development;
- iii) A steady improvement of the macro economic environment for social and economic development.

The book comes out with results of original research on African development policy issues to a wider audience. It provides a basis for determining what needs to be done, at both policy and political levels to address the shortcomings

of the process of structural adjustment in the region and to embark on an agenda for transformation, poverty reduction and alleviation. It is, in our opinion, a 'must read book' to those interested in the dynamics of African development now and in the next millennium.



Dr. Salim Ahmed Salim,
Secretary General,
Organization of African Unity.

Addis Ababa,
ETHIOPIA.
April 13, 1995

Acknowledgement

Most Sub-Saharan African countries have, for more than a decade, been implementing Structural Adjustment Programmes (SAPs) of one form or another aimed at arresting the downward spiral and disintegration of their economies. This book attempts to synthesize and outline a series of important factual, judgemental, normative, historical and contextual issues relevant to understanding and explaining past performance and experience with Structural Adjustment.

The underlying premise of most, if not all, contributors is that the derivation of actual programmes requires close attention to specific structures, historic records, politico-economic constraints and potentials. More specifically, it is suggested that Structural Adjustment Programmes are not patented products available on request from the IMF or the World Bank (or indeed any body else). Thus, unless Structural Adjustment Programmes have local factual, analytical understanding and support base they will not succeed. Countries and institutions which often fail to appreciate this important point, have not helped SSA's adjustment process.

The book itself is the product of eight Institute of Development Studies (Sussex/Dar es Salaam/Economic Development Institute of the World Bank) and two IDS (Sussex/Dar es Salaam) co-sponsored Study Seminars: first on Structural Adjustment and later on Structural Adjustment and Transformation. The last two were held between 2-20 August 1993 in Arusha, Tanzania. Thirteen Sub-Saharan African countries participated at this seminar. These included Tanzania, Uganda, Nigeria, Ghana, Ethiopia, Mozambique, Zimbabwe, Zambia, Swaziland, Namibia, Malawi, Eritrea, and South Africa. Participants used the occasion to share their individual country experiences on how they have fared with economic reforms so far and how they intend to proceed to economic and social transformation for sustainable development.

It is thus apparent that from the outset, the book was designed as a joint effort as it was generally accepted that no single individual could cover, either geographically or thematically, all the main issues that needed to be addressed. The contributors to this volume were participants to the study seminars, and communicated regularly despite the fact that they reside in different continents and sub-regions (within the continents). The editors wish to extend their

most sincere thanks to all the participants of the study seminars, and to all those who contributed chapters to the volume. Truly without their active and consistent participation and contribution, the publication of this book would simply not have taken off - let alone reached this stage.

The editors also wish to express their most heartfelt appreciation to the Royal Netherlands Embassy to Tanzania and the Friedrich Ebert Stiftung (FES) for the generous financial support which enabled the publication of this volume. Our special thanks go to Mr. J.L.I. Jzermans and Ms. F.G. Struys both of the Royal Netherlands Embassy to Tanzania; Mr. G. Wendler and Mr. J. Bergstermann both of FES resident Office, Dar es Salaam for their generous support and continuous encouragement throughout the preparation of this book.

We would also like to express our gratitude to DUP (1996) LTD - especially Bernhard Sanyagi - for editorial development and design of the book manuscript; Amina R. Mmenge, Zainab Saleh, Rukia M. Mwaba and Judith S. Kipingu for word processing the manuscript text as well as other secretarial services. Indeed, this has been a most rewarding co-operative effort. We feel that the final product justifies the team approach; but perhaps more importantly, that each of the participant to the seminar series learned a great deal in the process. One of the reasons for publishing this book is to share and expand the frontiers of this learning process.

Finally, a note of apology: this book was to have been published in 1995. However, logistical and administrative hitches regretablely delayed its planned publication to 1998. Despite this delay, we are confident that the issues raised in the book are still relevant to the sub-region's struggle for development now and in the coming millenium.

Acronyms

AAFR-SAP	-	African Alternative Framework to Structural Adjustment Programmes for Socio-economic Recovery and Transformation.
ADB	-	African Development Bank
APPER	-	Africa's Priority Programmes for Economic Recovery
BWIs	-	Bretton Woods Institutions (The World Bank and IMF)
CAR	-	Central African Republic
CBOs	-	Community Based Organisations
COMESA	-	Common Market for Eastern and Southern Africa
EAC	-	East African Community
ECA	-	Economic Commission for Africa
ECCAS	-	Economic community of Central African States
ERP I	-	Economic Recovery Programme One
ERP II	-	Economic Recovery Programme Two
ESA	-	Eastern and Southern Africa
ESAF	-	Enhanced Structural Adjustment Facility
ESAP	-	Economic and Social Action Programme
FINSAP	-	Financial Sector Adjustment Programme
GDP	-	Gross Domestic Product
GOT	-	Government of Tanzania
IFI	-	International Financial Institutions
IGADD	-	Inter-government Authority on Drought and Development
IMF	-	International Monetary Fund
IOC	-	Indian Ocean Commission
IMGO	-	Inter Ministerial Group of Officials
LPA	-	Lagos Plan of Action
NAM	-	Non-Aligned Movement
NBFIs	-	Non Bank Financial Institutions
NESP	-	National Economic Survival Programme
NIC	-	Newly Industrializing Countries
NIEO	-	New International Economic Order.
OAU	-	Organization for Africa Unity.
OPO	-	Open Market Operations
PAMSCAD	-	Programme to Mitigate the Social Costs of Adjustment
PESs	-	Private Sector Enterprises

PIF	-	Policy Frame Paper
PNDCC	-	Popular National Democratic Convention
PTA	-	Preferential Treaty Authority
QRs	-	Quantitative Restrictions
RPF	-	Rolling Plan and Forward Budget
SACU	-	South African Customs Union
SADC	-	Southern Africa Development Community.
SADCC	-	Southern African Development Coordination Conference
SAF	-	Structural Adjustment Facility
SAP	-	Structural Adjustment Programme
SATCC	-	Southern African Transport and Communications Commission
SDA	-	Social Dimension of Adjustment
SMEs	-	Small and Medium Enterprises
SOEs	-	State Owned Enterprises
SSA	-	Sub Saharan Africa
TA	-	Technical Assistance.
TGE	-	Transitional Government of Ethiopia
UNCTAD	-	United Nations Conference on Trade and Development
UNECA	-	United Nations Economic commission for Africa.
UNEP	-	United Nations Environment Programme
VEO	-	Village Executive Officer
VPA	-	Vienna Programme of Action
WB	-	World Bank
WID	-	Women in Development

Notes on the Contributors

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bodies and committees within and outside Nigeria. For example, he was Chairperson of the Technical Committee on Revenue Allocation (1977 - 78) in Nigeria; member of the Governing Council of Ondo State University (1983 - 87); Chairman of Board of Directors of Volkswagen Company, Nigeria branch. Member of the World Bank General Advisory Panel and the Council of African Advisors; and Chairman of the Presidential Advisory Committee (1985-93) during the reign of His Excellency President Ibrahim Babangida; member of the Governing Council of the African Capacity Building Foundation (ACBF) based in Harare, Zimbabwe; member of the Governing Body of the African Economic Research Consortium (AERC) based in Nairobi- Kenya; etc.

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Bureaucracy, Law and Order and Structural Adjustment in SSA

R.H. Green

I could not believe it would ever happen. I filled the form. Now I can feed my children (Destitute Maputo female household head on receiving supplement Alimentaire)

We cannot understand people who are so violent to each other. We had to call the sungu sungu every night. (Ngara-Tanzania) village leader on Rwandan refugees and response)

EXPORTS FROM BELOW

THE VOICE OF TWO ORDINARY AFRICAN - once in a war-ravaged land vying with Afghanistan and Angola for the most devastated (and with Ethiopia for the poorest) titles; the other in a poor, isolated (the end of beyond even in most Tanzanian perspectives) district overrun by more refugees than there are residents. Two people who have seen only too much of ineffective government and violence even if the philosophical debate on good governance might seem confusing and confused from their necessarily temporally and spatially limited perspectives.

Two voices respectively praising state bureaucracy and state managed, community run law and order. If the Mozambican lady was

told that the Weberian, referral, checking, rostering, payment delivery system was a rigid alien imposition distempering her and violating her culture, she would either not understand what the speaker meant or would disagree emphatically. For her (and 75,000 other households) the test is whether it delivers something relevant to her needs as perceived by her and does so in a non-demeaning way. If the village leader was told law and order was merely a shield for oppressive state power, he would probably understand but doubt the speaker's sanity. To him, the *sungu sungu*, the backup regular police and the army are what means his village is a world away from the horror of Ruanda even if only 100 metres distant across an unmarked patch of brush.

These two examples are intended first to suggest that much of the good governance debate or parallel rhetorical incantation carnival? an African appears to be simplistic, using bureaucracy and law and order as terms of abuse rather than as working concepts of key elements in good governance (even if both are inadequate by themselves and subject to abuse) and second, that the dialogue is usually very top down and carried on at a philosophical level far removed from the man in the street or woman in the field (reversed in the cases cited) who are asserted to be the intended subjects, beneficiaries and judges of good governance, but are rather infrequently asked or listened to in any depth or detail.

Certainly it would be easy to find equally lucid African condemnations of bad or no governance (at least if it was not quite bad enough to make the would be commenter silent from fearful prudence) - not least in Mozambique and Tanzania. But many of these would make the mirror images of the affirmative points: citing the absence of ability to ensure and enforce law and order and lack of administrative structures and procedures, transport and materials to the best advantage. Officials who do not act, or act only on side payments and police personnel who steal, take bribes, or use random violence are indeed condemned; but the former are the opposite of Weberian bureaucracy and the latter are the corruption of the forces of law and order into the agents of disorder and of the unlawful.

The purpose of this paper is to explore briefly certain generally accepted elements of good governance as intermediated through bureaucracy and the law and order apparatus to the experience and perceptions of ordinary women and men in urban/pre-urban neighbourhoods and rural villages/homesteads. In this context bureaucracy is defined in neo-Weberian terms as a coherent system to facilitate the rapid taking and implementing of decisions at all levels of the public service with defined guidelines and procedures for referring complex/policy issues raising cases upward while ensuring that the standard (routine if one prefers) cases are dealt with at initial field contact level. Similarly, law and order is defined as the ability of ordinary people to go about their daily business without fear of violent intervention by anyone (bandit, policeman, corrupt official, civil enemy) and with the assurance that breaches of that peace will be acted against reasonably promptly, impartially and effectively. That is not adequate to constitute the full rule of law but it is a very large part of it, just as bureaucracy alone can neither bear the full weight of policy implementation, let alone of formulation and articulation. To assert that law and order and bureaucracy are a significant part of the answers to good governance especially to ordinary people far from the levers of power is not to assert that they are answers to all questions or to all aspects of any.

The concluding section seeks to explore policy implications of the need to strengthen state capacity to deliver basic services including law and order in a user friendly way. It suggests that interim approaches need not wait on elaborate overall reviews and restructuring. Efficiency, wages and adequate resources (including institutional operating procedures) are both necessary and - taken together with quite basic performance tests such as attendance - sufficient conditions for radical gains towards this aspect of good governance. The problem lies in resource mobilisation and allocation. Reallocation alone is unlikely to work because both core staff levels and rations of supporting inputs (including mobility to staff) are too low.

supporting inputs (including mobility) to staff are too low for efficient service provision. However, bureaucracy properly designed can make a significant, low cost contribution by increasing the efficient utilization of whatever resources are available through reducing uncertainty, time lags and waste.

THE MACRO DIALOGUE UP THERE

In about 1990, external prescriptions for good governance in Africa appeared simple not to say simplistic. Donors demanded free, competitive, multi-party elections with the clear belief that these would end corruption and bring 'market friendly' governments to power. The World Bank more or less concurred but its key theme was civil service reform. By that it meant, oddly enough, rather random, across the board "redeployment" (i.e. termination of employment with little chance of alternative part livelihoods to replace the lost public service jobs for most "redeployees") - an approach based on a non-factual belief that overall public service totals were uniformly high relative to needs and that pay was high as well. The latter misperception seems to have been based on generalizations from Cote d' Ivoire, Senegal, Cameroon, Gabon and Congo (Brazzaville) where, until the 1993/1994 devaluations and inflation, the salary side of the argument had a good deal of validity even if in the basic service area (health-education-water-extension services-rural and pre-urban infrastructure-civil, police) professional and para-professional levels were too low if a dynamic toward universal access was to be sustained.

Today the external intellectual discourse has become more complex. The donor record suggests no evident adherence to any consistent principle, e.g. acceptance of the overthrow of a popular government with over a third of a century of contested elections (Gambia); backing of a President who is a last ditch opponent of any parties (Uganda); acquiescence in fraudulent Presidential (in the presence of international troops and observers who did report the 'election' to be

unfree and unfair) and parliamentary elections (Togo). The World Bank has moved more positively to stress accountability, more efficient public services (which alters parameters of civil service reform) and participation (at least where functionally useful and not too time consuming), but it still tends to concentrate on those aspects of governance most directly affecting Bank staff and on somewhat simplistic macro economic formulae or rules of thumb.

The African official/intellectual level debates have been complicated both by some evidently self-interested status quo backers and by the difficulty in sorting out responses to external agendas from attempts to articulate African ones. The same basic elements: accountable governance, transparency, honest capacity to deliver (and to prioritise what to deliver to whom), more use of markets (albeit with much more openness on desire to manage or rig them than characterises donors, World Bank/IMF or many external intellectuals and most business persons who are just as keen to back certain interventions but less eager to say so), honesty, rule of law, human rights, role of civil society/domestic social sector, bringing government nearer to people are common to the African as to the external actor discourse.

However, the African participants often stress particular socio-economic-historical contexts to query or reject straight import substitution of institutional and policy practices. For example, with regional (or sub-national) parties frequently dominant, many seek a means to ensure to substantial geographical area (or sub-national socio-political-cultural group) is totally excluded from governance. Some of the non-party and single party approaches (like the Sunset Coalition in South Africa and the incorporation of Ministers from Renamo but not Renamo as a party in the new Mozambican government and the allocation of the Prime Ministership and nearly half the Cabinet seat to parties with under 20% of the vote in Burundi) do relate genuinely to this concern. Curiously, proportional representation by province/region (or even nationally) is rare - a transitory provision in Zimbabwe and the 1994 electoral approach in Mozambique, South Africa and Namibia, although it might seem to be more widely applicable.

A quick review of key elements in the dialogues may be useful as the themes - if not the form of discourse - are largely relevant to and present in the concerns of 'ordinary' people such as the two initially quoted.

ACCOUNTABILITY/TRANSPARENCY

The importance of Public Accounts Committees is stressed (initially more by Anglophone African than outsiders) as is openness in publishing both decisions and the administrative and legal rules governing them. The dialogue has to date centred on how this could be done for MPs, journalists, academicians and other intellectuals with much less attention as to how it could be related 'down' to village and neighbourhood levels, where both the content and format would need to be different. For example, a university or donor economist's ability to analyse and use a government or corporate audit report is not the same as a co-operative or village members' ability to tackle financial reports and decisions of their bodies, let alone the complete texts of the Auditor Generals' reports.

PREDICTABILITY

The predicability of state action is perhaps more a grass roots' or dusty peri-urban squatters' concern (except for the World Bank and businessmen in respect to contracts and tax regimes), but relates to accountability both as to identifying decision takers and being able, via elected officials, ombudspersons, or the courts to gain redress for 'out of line' actions or (perhaps more commonly) inaction or grievously delayed action. It also relates to bureaucracy and to the rule of law which are intended to cause similar results in similar cases.

COMPETENCE AND CAPACITY

These are sometimes debated in the abstract and sometimes in respect to strategic goals (i.e. what should the state do and what should it leave

to civil society, enterprises and/or regulated or free markets?) and to institutional structures (public service reform more broadly). To users the issues are very real, concrete and relate largely to effective access to delivery of very basic services, e.g. primary and, sometimes, adult education, preventive and primary curative health care, useful agriculture/veterinary extension services, a peaceful climate to go about daily life and police/courts to protect it, physical access to reasonably non-exploitative markets without an extortionate, inequitable or brutally collected tax and free burden.

POWER TO SELECT, REMOVE OR RETAIN

The power to select, remove or retain leaders including domestic social sector as well as public sector leaders by reasonably effective and timely procedures with predictable results not including insecurity - is a goal to which it is unclear multi-party competitive elections (or the sometimes widely used more traditional local analogues to "ending to Coventry" /boycotting) are uniformly adequate answers at either the macro or micro levels as opposed to frequently necessary and facilitating conditions.

DECENTRALISATION/PARTICIPATION

These are frequently raised in the accountability/transparency and the power to select-remove-retain contexts, but also in that of competence/capacity. The evident distinction between decentralisation (power closer to people but not necessarily more accessible to them) and broader participation in decisions as well as their execution and review (logically) at macro as well as micro level) is often conflated. Granted, local participation does require decentralisation; the inverse does not hold.

HUMAN AND PEOPLE RIGHTS AND RESPONSIBILITIES

The last word in each pair is much more an African than a North-

Western contribution to the dialogue, albeit the World Bank does in practice stress user and community responsibilities to provide resources and less clearly rights to inform and influence actions are in principle not widely disagreed (vide the African Charter). But this sometimes indicates more the imprudence of opposing them publicly than a deep across-the board official commitment to enforcing (or in many cases even allowing) them. It also conceals or overlooks real resource problems even for the "traditional" Western core right - effective police investigation costs more beating out confessions; freedom of the press is not entirely real to most would-be users unless there are relatively accessible public services media at all levels, political parties without state support or a sub-national cultural core tend to be 'bought up' as do underpaid decision takers (e.g magistrates, constable, tax officers etc.).

Again concrete, specific realities matter rather more directly to most people far removed from the levers of power than the presence (or absence) of Bills of Rights and other legal provisions even if it can be argued that these are at least facilitative to concrete micro results. That local level perceptions may be inadequate is not seriously in doubt. Beating out confessions can be popular if it does halt crime waves (as is not unknown); freedom of the press and of verbal expression of views beyond immediate micro issues may not be backed broadly or with fervour so long as substantial means including criticising officials and service delivery are open even if some areas and persons are known to be 'out of bounds'. However, these limitations both need to be analysed to understand why they exist and seen as limitations requiring both ordinary person and specialist (including lawyer, journalist, course oriented group, opposition politician) inputs to relax them, not as justifying limiting discussion of rights (or at least serious consideration of inputs) to narrow, inherently elite circles.

This swift tourd' horizon does not seek to suggest that the good governance dialogue is irrelevant to, or discordant with, the concerns of most Africans. It does suggest that it is now at a philosophical and

general level. The implicit assumption of an educated citizenry understanding with access to legal resource is simply not correct. That fact has important consequential problematics, not least for the legal system, including especially the magistracy and police. The macro nature of the aggregated poor user perspective has recently been well expressed in UN Secretary General Boutros Boutros Ghali's Herald Tribune article on the World Summit for Social Development.

... a crisis that would have been unimaginable a decade ago; the unravelling of society... Social services are eroding. Crime, terrorism, drug trafficking and abuse have become everyday features of modern life... What is now under siege is something different [from cross border invasions]; the security of people in homes, jobs and communities.

This erosion of personal security is making people profoundly pessimistic. Many no longer see the prospect of better times. There is a rising sense of cynicisms not only about political processes but about the efficacy of democracy itself. For the poor, in particular, there is rising bitterness and frustration. Governments alone cannot control the causes of social dislocation and alienation. Yet they have to face the consequences. Ordinary people hold governments responsible....

The stress of the article on delivery of social services and of personal security is closer to poor and middle income African (or indeed Asian, Latin American, European or North American) concerns than most of the macro governance debate as now formulated. So too are the non-cited sections on the lack of livelihoods, but these are largely beyond the scope of this chapter.

BUREAUCRACY, LAW AND ORDER: DESERVEDLY LOW PROFILE?

Bureaucracy, law and order have not featured prominently in the governance debate or at least not in any serious fashion. This is

surprising given the stress on capacity building and civil service reform, on markets as means to livelihood improvement and on predictability. Instead, bureaucracy has featured but as a catch-all epithet for governmental incompetence, inertial and ill-judged interference with markets. This is rather unhelpful as it takes abuse of bureaucracy or bad bureaucracy or rather frequently the total absence of bureaucracy as formally defined and lumps them together as a term of abuse to apply to bad and/or to widely present (or absent) governance.

Bureaucracy however is a system to ensure that routine decisions/actions (perhaps 90% to 95% of all actions/decisions) can be taken uniformly and promptly by field and personnel and others referred upward for more detailed examination with only the most complex, policy related or large reaching senior officials and political personnel. Both procedural and policy reviews start at middle or top level but usually review lower level experience.

The mechanism for such a system is a set of guidelines/standing orders to allow all officials to know what to do and how and what to refer to whom and why. Only genuine emergency and policy alteration decisions fall outside the guidelines which should indicate the criteria for making such exceptions.

There is no implication here, that front line personnel act as automata or without professional judgement. For example, a Tanzanian, medical officer trained to handle about 90% of all cases- and to refer the other identified 10% is expected to use professional judgement and skills on those 90%. The same should hold but often does not because of ludicrously inadequate training for agricultural extension personnel.

The "post bureaucratic" critique of bureaucracy in fact assumes as functioning bureaucracy for the 90%. Nobody - or no rational governance analyst-wishes deliveries of primary school texts to schools to be one-off, creative exercises varying from officer to officer, or for petrol purchase chits for ministry pool vehicles to go up to the senior official in the ministry. Both often happen in Africa today and that way lies disaster-the books are not delivered, the chief secretary has no time

to think, to analyse or to act effectively on policy issues because of the clutter of routine micro decisions piling up on his or her desk. This is not because of bureaucracy (good or bad) but because of absence of bureaucracy.

Similarly, if two of the main problems of public service capacity are absence from work place and inadequate training, then enforceable/enforced regulations on attendance and training course participation are part of the answer. (To be enforceable they may well need to be paralleled by pay bearing some relation to minimum household living costs). The "post bureaucratic" critique focuses on three risks: (a) non-routine decisions/actions will be dealt with as if routine; (b) routine (or repetitive) decisions/actions will be handled mechanically and not professionally; (c) officials will not respond to service users'/applicants' needs and concerns. All are real problems, but good bureaucracy can be at least part of the answer just as bad bureaucracy can be part of the problem. In each case:

- (a) Clear guidelines should help ensure referral;
- (b) Proper training should lead to professional front line services - it is badly undertrained personnel who most frequently use guidelines as excuses for inappropriate actions.
- (c) Participation of a junior officials is largely 'accepted' when, as, how and if guidelines call for it and user complaints/request outside his empowerment to act are (or should be) among the items he refers for possible procedural or policy review. (That does pose a secondary problem - participation within hierarchical public services)

Even the most in depth civil service reform efforts/studies seem to underestimate how much what a user/applicant 'out there' receives (or does not receive) depends on a bureaucratic system which functions smoothly within appropriate guidelines. Intellectually, standing orders are not very interesting (except to poke fun at out dated or mistaken ones). But to a villager looking for school texts, vaccines, improved

seed or maintenance of a borehole; they well may make the difference between prompt delivery and non or hopelessly delayed delivery (and in extreme cases between life and death).

The argument that Weber was not an African and that orderly processes are inherently un or anti-Africa requires attention but does not appear cogent. Weber was indeed North Western European, but many of his predecessors in bureaucratic promulgations and analysis e.g. Humurabi of the Code and Confucious of the Analects assuredly were not. Most African states, before the European conquest, had limited basic services delivery systems and so little need for an extensive civil services to operate them in an orderly fashion. That characterised pre-18th Century Europe too. What African states often did have were hierarchical military, governance and participation task allocation (e.g. to age groups and to women's groups) systems which did lay down guidelines for action, spheres of competence and referral procedures. To be sure, not all states were so characterizeable. Personal dictatorships existed then as now as did broken backed, low capacity states in Africa as in Europe. Equally, few systems worked perfectly and most probably had periods of serious deterioration and abuse. Dr. K.A. Busia's historic analysis of the Wenchi Omanheneship (Kingdom) doubtless is slightly roseate if read as a literal account of governance in a typical Akan state. But it does both illuminate an "ideal type construct" and demonstrates that orderly, ordered governance and participation has historic roots and present appeal in Africa as much as anywhere else. Taken literally, any innovation-especially if practised elsewhere is initially non-Africa. That is as true of "quality control circles" and "participatory rural appraisal" as of bureaucracy. The relevant questions should be on whether the principles behind the form are compatible with those of the Africans expected to employ it and whether serious domestication and integration, rather than artifactual off-the-shelf importation is practised.

The difficulties of transplantation are probably greater for western style NGOs than for bureaucracy. Western style NGOs are, under certain conditions, useful vehicles for supporters of people's social and

social action groups e.g. in the Philippines and SSA a handful of continental NGOs and national councils (e.g. women's church or less frequently youth, trade union, cooperatives etc). They are very unlikely to be optimal local level community programme operational bodies. Detached elite membership groups of well wishers (usually professionals) working for but not accountable to and often not in close day to day human contact with, those they serve are not notably 'traditional' in Africa (or perhaps anywhere else). They may have a future but are not a very speedy or sure route to local level participation and to raising the capacity of ordinary people.

What are historically and currently common in Africa are groups linking households or persons with common operational as well as representation/campaign issues. Women, small farmers, youth, religion, water users, road users, parents are among the commoner examples. These are-by definition-local. Equally they rarely include the whole of a geographic community and households/persons may well be members of more than one. Even at provincial or national level confederations or apex, representatives of such groups have more historic base and, surely, more organic accountability than the Western and Philippine model NGO (or probably the Indian).

Law and order has been an unloved stepchild in development dialogue-especially in Africa for over forty years. The initial cause was a critique of colonial states as "law and order" or "night-watchmen" entities with few policy or domestic developmental concerns. In passing, this was something of a misunderstanding of most colonial states. They were, by and large, very interventionist in respect to economic policy and (sometimes), subject to limited personnel, social policy as well. What they did not do was to provide broad access to basic social and human investment services, nor to physical infrastructure not serving the needs of selected constituencies (not all of which were foreign settlers or enterprises). In any case the basic thrust of the development argument was logically not against law and order but against assuming it to be adequate in the absence of social-human

investment infrastructure services (and of accountable governance to shape the laws).

However, the result was that law and order came to have a low priority not least to donors for many years. This has not at macro intellectual level structurally changed even now in most fora. In addition both police and the magistracy (law and order as perceived/experienced by most people) are often part of the problems:

- (a) Instruments of macro or local repression and/or corruption;
- (b) Personally corrupt in ways distorting or destroying basic security and predictability
- (c) Engaging in privatised user fee collection (notably from probably chargeable motorists in lieu of taking them in to be charged in the case of some policy forces because of need, while not necessarily acting unprofessionally in respect to their other responsibilities);
- (d) Withdrawing into 'safe' inaction from fear of ordinary people/politicians (most common in holdover police after the fall of an oppressive regime e.g. Zimbabwe, Namibia, South Africa, Malawi;
- (e) However, each case is one of a failure of law and order needing to be remedied and not evidence that law and order as such is unimportant. Quite the contrary.

Legal functionalist' analysis may also have contributed by virtually equating the Rule of Law to the Rule of Laws which is distinctly normatively different by asserting freedom from external normative baggage but in fact tending to defend any status quo careful enough to enact laws covering whatever policies it intends to pursue and to follow them to the letter. An irony in South Africa is that virtually non of the offences committed against its laws were necessary. Virtually all the apartheid regime's aims could have been carried out pursuant to its laws. To the non-lawyer this approach to law tends to lessen respect for it, or much worse.

Without law and order there is unlikely to be much else. Ordinary people give high priority to being able to go about their daily business/lives/ activities without the fear of violence from any source (neighbour, bandit, policemen, political thug, cross-border incursion etc). They want to know what acts are unlawful (transparency) to avoid clashes with the police (predictability). They wish to know that breaches of the law affecting their peace and order will be dealt with expeditiously, honestly and efficiently enough to deter repetition. In very many cases, the bottom line of their complaint about police and magistrates is that they are too few and too little active and so not delivering predictable security and deterrence of those braking it. When the police (and even army) perform, they are likely to be held in very high regard e.g. by residents of Tanzania's border districts with Rwanda as of 1994/95.

Ombusspersons and higher courts have a much lower profile because (except for felony criminal cases) they are irrelevant and inaccessible in the view of ordinary Africans. This is particularly true in the absence either of a tradition of class action (or one making general human rights provisions quasi justiciable as in India) or of legal aid beyond limited provision to indigent felony defendants.

As noted above, law and order as defined here is not identical to nor as broad as the rule of law. For example, freedom of speech (especially critical speech) and of the press and the absence of stifling climate of self censorship beyond state promulgated boundaries of 'acceptable discourse' are important, as are procedural safeguards and a judiciary which is independent in politically sensitive as well as ordinary cases. But this is clearer from the centre than at grassroots and probably clearer once law and order, as defined here, is attained. Probably not necessarily in the context of very real security dangers as in Tanzania's Kagera Region - the crippling of opposition party campaigning or deportation of 'inconvenient incomes' (including foreign traders and those from other regions) could have been (in fact no such action took place) made popular under the cover of 'law order., security first' or even in response to public hysteria (which was, in fact, notably absent).

FROM USER, THROUGH PROCESS TO SYSTEM

The mother in Maputo sees herself as the beneficiary of government capacity to deliver a service. She had vaguely known a 'food supplement' was supposed to be available to women whose children were underweight and showed no growth in weight on monthly mother and child clinic visit (75% to 90% coverage in urban Mozambique). Until a nurse told her she was eligible and gave her forms, she never supposed it related to her despite radio and less relevantly press coverage. In fact she is the beneficiary of the deliberate creation of a simple, functional bureaucracy as much as of the political will to relieve urban destitution.

The political decision was to provide a very modest (given resource constraints) income supplement (primarily for food) to urban households below the absolute poverty line. The initial analysis checked with local government, local councillors and women's groups was to identify usable proxy categories. Three appeared to cover 90% of absolutely poor households: female headed households with no formal sector wage earner; aged person headed households and disabled person headed households. Initial attempts to identify these categories directly were suspended because of pressure to act rapidly.

The initial interim and still dominant method is referral or pregnant women and mothers by mother and child health clinics. The basis is underweight and no weight gain. Given 75% to 90% coverage (and no fee to bar absolutely poor women's access although there may be opportunity cost obstacles) the potential coverage is good.

The nurses inform the poverty supplement office which also receives the papers (given to applicant by a nurse) from the local government/neighbourhood administrator/liaison officer certifying she lives there and is not known to be non-poor. Checking income is not attempted as it is known this would produce infinite delay with little reliable data. The office then contacts the woman and issues her a card presentable monthly to a stated bank branch to receive payment.

The system works! Since its present form was adopted 30 months ago, 80,000 households have become eligible (5,000 have completed

eligibility which is 12 months in the case of pregnant women). And admittedly small survey suggested 5% were relatively poor, 25% to 30% absolutely poor, and 60% to 65% destitute, and that over 80% of receipts were spent on food with fuel clothing and soap accounting for the bulk of the remainder. The latter point may relate to payment being made to women - a decision taken on the ground that the clinic referral system named women and that women were responsible for providing and preparing food and meeting other expenses in relation to children. Administration costs (excluding technical assistance advice on bureaucratic system redesign and one professional officer) have been about 4% of total costs.

The contrast with most Mozambican service delivery systems is stark. There is a simple, clear-cut set of procedures with stages, a workable delivery system as well as a reasonable (even if proxy) workable means of determining eligibility promptly. The strategic frame was designed by a macro economist and a doctor; the details by a bureaucratic systems specialist and a professional social worker (in each pair one expatriate and one Mozambican). The staff (one to four administrators/bookkeepers in each of a dozen cities plus the referring nurses) were trained by the central director (the associate director) on field visits and the local government certifiers informed in a simple circular and by brief staff visits.

The only comparable delivery systems and they do not require pre-identification of users - are primary health care and rural and peri-urban water supply. Each does have functioning system and rule book and each has used small clusters of Mozambicans and foreign advisers from health, water and administration to update and streamline them. In addition, each has benefited by a political climate clearly prioritising universal access to basic services. However, primary education has the same favourable political climate but no bureaucratic system or procedures and is a disaster area even by Mozambican standards.

The link to law and order in the Tanzanian case is more evident, but again there is a more complex institutional structure than the

citation itself reveals. Tanzania is relatively under policed - less than one per thousand persons concentrated in urban areas though each district town and most other small towns have police posts. The service is further limited because for a decade and half, fiscal constraints have limited mobility (vehicles, spares, petrol,) communications and equipment.

Grossly inadequate pay - only partly offset by quarters and meals has led to what can be termed privatised/ability to pay user fees or petty corruption. Vehicles are charged 'fees' (usually of \$ 1 to \$5) to avoid being taken to a station and charged with a violation. But the force is on the whole honest and professional in investigating major crimes and by global standards relatively user friendly.

In an attempt to broaden coverage the *sungu sungu* have been evolved from local militias (created in response to border threats in the Kagera Region case from Amin's Uganda) themselves loosely descended from historic *are* group patterns. These groups have received some training, limited equipment and a (less than optimally specified) delegation of local law and order responsibilities. In many rural areas, including Ngara and Karagwe, they function well as do 10 house cells (initially Party group but in rural areas seen as governmental) and village *para* judicial dispute resolution bodies. These are necessary because magistrates (and lawyers) are even scarcer than the police and - rightly or wrongly the magistracy has a far poorer reputation for competence and probity than the police.

When Rwanda exploded following the 1994 assassination of its President and beginning 14 hours later its Prime Minister and cabinet majority, followed by descent into genocide led by elements in the rump of the cabinet, the army and the militia, causing the invading Rwanda Patriotic Front to resume its conquest, the Tanzanian border area was at grave risk. The experience of raids in both directions across Burundi and Zaire/Rwanda borders demonstrates that neither border villages, district and regional authorities, nor the central government were wrong to believe they faced a major security crisis.

About 5,000 troops were rapidly (and with publicity) sent to the border and then quartered out of sight. Police were reinforced in the two most affected districts from about 50 to over 500 with Colonels, not lieutenants, in Command. Two retired Brigadiers became District Commissioners to ensure security/local governance (otherwise unchanged-martial law was never considered let alone imposed) liaison. No cross-border incursions took place in the face of this show of force.

The police and *sungu sungu* have related to security in respect to Rwanda refugees. This is crucial to residents in border and near border villages who bore the initial brunt when the initial waves rolled in. Now both camps and transit points near the border have regular police who prevent (almost) spill out crime and police the camps by day as well as ensuring the continuing refugee flow no longer generates insecurity. Again, the show of force has worked. Refugee violence against each other has been fearsome (at least in Tanzanian terms), but neither Tanzanians nor expatriates are attacked. While nobody would assert no arms (especially pangas) in the camps, no firearms are visible and - in contrast to Zaire and the CAR no drilling of irredentists for reinvasion.

A parallel case from the domestic social sector acting together with village governance arises on the capacity/ bureaucracy side. Two of the most serious disasters inflicted on border and transit villages were the premature filling of their public pit latrines (crucial in rocky hill side country and near universal) and the literal consumption, in a few days, of their whole maize crop while still green. As maize is secondary to plantains and these were in season, no immediate food crisis resulted, but there was no seed for late 1994 planting.

In many villages the most effective response have been by churches (domestic social sector) at congregational and diocesan/national levels. For example, the Anglican Diocese of Kagera development unit has systematically raised funds to help villagers pay for pit digging labour, pole foundations and wood superstructures for latrines (the previous wood having gone into refugee cooking fires). In addition, the Canon responsible (a senior police and large enterprise

security officer before ordination) systematically collected data on seed needs of ten villages through Village Executive Officers. The seed was then procured domestically and donated by the Christian Council of Tanzania. The Diocese delivered; the VEOs placed it in (reasonably) secure store rooms and then handed out ten kilos to the senior woman in each household on a queue and roster check-off system. The Canon monitored the operation but the VEOs appear quite used to that form of orderly delivery.

Again, common sense decided the gender issue; women plant and grow household grain and then store/prepare it, so who else should receive the seed?

Bureaucracy? Yes Formal? Yes, Delaying or decapacitating? Quite the contrary, as the women happily lugging off their ten kilos of seed (or chatting in the queue assured they would reach its head and that seed would be there) saw it.

TOWARD A FUNCTIONAL, USER FRIENDLY BUREAUCRACY? PROBLEMATICS

To argue that well written standing orders and procedural guidelines would by themselves revolutionise the capacity of public services in SSA is not accurate. To assert that is to oversell the part of the answer it can be, to a degree likely to discredit it. Seven problem interlock:

- (a) Most key public service cadres (from nurses and primary school teachers, water technicians and constables, through tax inspectors and magistrates to accountants and engineers), are under staffed relative to present targeted delivery levels much less to reasonable medium term coverage goals;
- (b) But many post holders have had inadequate training (two thirds of Mozambican primary school teachers are not qualified in any sense) and/or too little (or no) refresher or retraining (at least a half of Tanzanian primary level teachers and health workers by those services' own criteria);

- (c) Other cadres - petty administrators, cleaners and messengers, clerks, domestic service employees, sometimes drivers and secretaries are seriously over staffed with most 'surplus' personnel not obvious candidates for retraining to fill vacancies;
- (d) wages are so low that absenteeism, self-designed and pocketed user fees and misuse/misacquisition of job facilities and materials are inevitable and uncontrollable because the failings occur at almost all levels. So few are in any position to exert discipline.
- (e) Key complementary inputs from bicycle spares and petrol, through pump spares and desks, to functioning telephone systems and decent condition buildings are inadequate both absolutely (in relation to intended delivery level) and also in relation to actual numbers of key cadres in post;
- (f) High and middle level personnel time is wasted because of lack of guidelines results in referral up of decisions on actions which could and should be done by basic level staff;
- (g) Weak management of funds and physical resources related to unclear or unknown procedures wastes both.

Only in respect to the last two can bureaucratic recreation or reform make a major contribution, albeit, via that contribution it could reduce the present scarcity of senior personnel time by improving backup and reducing time spent on needless referrals or correction of accounting/stock management errors. In the context of coordinated public service reform, such a contribution can be of major importance. To ignore what is often 25% and sometimes 50% of the problem (as many civil services reform exercises appear to do) is hardly efficient in respect to local level service delivery.

But new guidelines take time to learn and also make unofficial acquisition/use of public goods harder. Therefore, while better bureaucratic structure as illustrated in Mozambique by the supplement

programme can achieve selective breakthroughs and, as illustrated in health and water in Mozambique and Kagera region in Tanzania help hold together institutions which on personnel and resource availability levels might be expected to collapse, their ability to yield large sustainable, across the board gains depends on better paid, better trained personnel and more adequate supplies of complementary goods. It can reduce the additional financial/personnel/physical allocations needed, but cannot be a substitute for larger allocations.

Yes, African governments could use resources more efficiently (partly a bureaucratic and partly a system design issue) and could reallocate to some extent. But in most cases these measures need to be taken in the context of total resource allocation expansion. To argue that preventive and primary medicine do not receive large enough allocations relative to full service hospitals, may not mean that the latter can be cut if, as in Mozambique, one designed to serve 100,000 to 150,000 now seeks (with few additional resources) to serve 1,400,000 while a city of 250,000 has (until completion of an ongoing project) no hospital at all.

LAW AND ORDER - WHAT BASIC PROBLEMS?

Just as the relative weight of corruption proper (or that of need related privatised user fees which are normatively rather different) in public service capacity constraints varies widely from country to country and sub-region to sub-region (with West African 'worse' than Eastern and Southern), so too, do the different components of the law and order problem. If the police and lower courts are perceived to be tools of oppression, clearly they are part of the problem. Equally clearly, the problem is unlikely to be answered without a sweeping, macro political change. A majority government is not e.g. in Namibia and South Africa a sufficient condition for user friendly, community-backed police force capable of increasing order and reducing crime, but it is almost certain a necessary precondition.

Corruption is probably often a greater problem on the magisterial than on the police level partly because user fees on vehicle operations are less generally corruption than user fees on court case outcomes. Both at magisterial and police levels the general public service numbers, training and complementary resource problems and apparently woeful inadequacy or ignorance of procedures as well arise.

Perceived user friendliness varies for the police in ways which do not appear closely correlated to numbers or pay, and only moderately more so, to complementary resources (especially mobility). For example Ghana's force is perceived as better on these counts than Nigeria's and Tanzania's better than Kenya's. There are macro political elements poor Tanzanians are much more likely than poor Kenyans to view police favourably partly because the Tanzanian force is much less politicised in the sense of riot control and 'non-approved' person surveillance and on the whole, less inclined to resort to violence, because both the public and politicians expect it to be a civil police force in both senses of the term.

Formal courts in SSA are not user friendly for the woman in the field or man in the street. Their procedures are opaque and access to them complicated and expensive at least from ordinary people's perspective (hardly a problem unique sometimes user friendly and accessible and, sometimes very much the reverse, usually depending on local as well as national political power configurations. Those seen to be predictable, fair and user friendly do reduce the overload of magistrates by providing a preferred alternative for minor criminal or potentially criminal and most civil incidents/cases.

Higher courts and ombudspersons are light years (or education years) away, many miles (literally) and a cultural *weltanschauung* removed from ordinary people. Again, this is hardly unique to SSA. They may be respected, but are not understood nor widely seen as a resource. Whether more public service lawyers and more opportunities for class actions and for justiciability of constitutional principles would alter this pattern of perspectives, how widely and how fast is unclear.

The Namibian and South African future experiences should be interesting and illuminating in this respect, albeit, the degree of urbanisation and education probably render South Africa a non-generalisable case.

Defects in laws are often serious but, at grassroots level, often the immediate problem is non-operationality of laws-or in the case of 'traditional' laws very considerable uncertainty (especially provincial and national levels) over what they are. This is not a reason not to prioritise law reform but a warning that such a process needs.

- (a) To ask ordinary people (the woman in the Ngara kibanja analogue to the "man on the Clapham omnibus" what they believe the substance of laws and of procedures should be. That is rare in urban and virtually unknown in rural Africa (with Botswana's integration of 'traditional' and 'court' law a partial exception;
- (b) To give priority consideration to para-judicial dispute resolution and minor offence resolution systems (e.g. elders' councils but including women which is frequently not traditional);
- (c) To examine how wide the gap between the status book and what happens (or rather does not happens) is, and how it can be, narrowed;
- (d) To review training/retraining of magistrates and of police (basic prosecutorial service) and of ways of achieving effective access to courts (especially lower courts) as well as the potential for class actions and quasi-justiciable links between constitutional rights/basic goals provisions and state policy; and
- (e) To treat standing orders and similar government procedural regulations seriously as a branch of administrative law subject to some type of review (possibly by an ombudsperson and linked to class actions and/or by direct reporting to a parliamentary committee).

-There is no reason why such an exercise could not be conducted over a three year period in most SSA economies in which the rule of law is now operational to a significant degree. But there is good reason not to hold up improving operation of the present systems - existing laws and existing magisterial level courts while awaiting its report.

A CHECKLIST OF ACTION

For reasons cited in the last two sections, bureaucratic and law and order reforms can be more effective if they form part of a broader package. From the perspective of user friendliness it is also desirable that they be conducted after a participatory review of user perceptions of delivery limitations and the effectiveness/acceptability of law and order as delivered (or not delivered).

In respect to capacity, action is needed on five fronts: identification of priority functions; immediate and five and ten year target levels of deliveries; required personnel (numbers/training) and complementary resources to meet targets; efficiency pay levels for basic service provision cadres combined with effective attendance and retraining regulations and both general and function specific standing orders/procedural guidelines to improve efficiency and predictability of services delivery.

The basis for an initial period (3 to 5 years) non-fiscal side of such an exercise can in cases of weak (even very weak) but functioning systems (e.g. Ghana, Tanzania, Mozambique, Ethiopia), be carried out in 15 to 18 months if seen as the first stage of a rather longer process which can go into more detail and depth, as well as secondary problems, once a forward momentum has been attained. To take three to five years to map the twenty year course of action following on from five to seven years of rather random individual actions outside any strategic frame only slight caricature of the mid 1980s to mid 1990s experiences of Ghana and of Tanzania is grossly inefficient as can be seen only too clearly in retrospect.

The remuneration scale for example needs to begin at say two

thirds the absolute poverty line for a household and have a ceiling perhaps ten times the floor. i.e. \$50 to \$500 a month in a number of SSA countries (perhaps a majority). Non-housing and non-transport to work fringe benefits need consolidation and incorporation into that level. (Housing and transport to work require much more contextual interim resolution). Related to this could be:

- (a) Agreed community contributions in cash or goods and services paid to local level operating units and used at that level either as part of the basic remuneration package or as an incentive fund to supplement both pay and complementary resources;
- (b) 'Buying out' de facto privatised user fees within (perhaps as a literal part of) the community contribution approach;
- (c) Typing new remuneration scales to effective attendance and within a limited time frame) satisfactory completion of training/retraining courses.

This approach has rather stronger incentive elements than are immediately apparent. Both agreed community/user contributions and, a fortiori, actual collections will depend very much on user perceptions of delivery quantity and quality and of the user friendliness of personnel. Keeping these revenue sources at local unit level not remitting to the centre will create de facto accountability to users and incentives to perform for staff.

The bureaucratic system rehabilitation/recreation actions can be most effective in the context of a broader reform package of the type partially sketched. Two new elements to be built in, could be user consultation before decisions on, and participation in service delivery provisions (as part of the annual budgetary process broadly defined) and operation of regular, simple monitoring of actual versus target quantity of deliveries and of user perceptions as to quality. In both cases the initial goals would be simplicity and functionality, not long term optimality.

The general public service reform points apply, *pari passu*, to law and order. However as with other functional areas, additional service specific ones arise. One is that the user perception side is better carried out by bodies independent (but having credibility with) the police and magistracy. Unless either the present system works moderately well, or is perceived as well intentioned but ineffective primarily because of inadequate resources, a police/magistracy run view of user perceptions is likely to produce results inversely correlated to how severe the underlying problems are. Identifying such review bases is a contextual issue - village and neighbourhood governance, elected local councils, domestic social sector bodies (usually predominately churches and mosques) and in respect to gender issues in particular women's groups, are all potentially viable in some contexts and less than promising in others.

The need to 'buy out' privatised user fees is especially great in the law and order sector. The division between small, ability to pay-based charges by health or education workers and corruption proper is less cloudy and the results less harmful than for police or, *a fortiori*, magistrates or tax collectors in the bureaucracy proper. The potential for community support food, building materials, labour (including assisting spouses in self-provisioning agricultural activities) as well as building maintenance, cleaning and cash as part of an accounted budgetary process is no less great for law and order than for other sectors - perhaps greater given more general provision of housing and rations or messes.

As noted earlier, para-professional/para-community auxiliary law and order provision and dispute resolution procedures can increase actual delivery of law and order facilitating/sustaining functions. This is one sense resource mobilisation/service reallocation in context of extreme central budget resource scarcity (and consequential paucity of personnel and mobility). However, a broader justification can be made on user friendless and community involvement grounds - regular police and courts are never ideal for setting quarrels not resulting in serious

injury, genuinely petty theft and/or civil law disagreements which are complex, important to the parties but financially trivial. The inherent problems are devising user intelligible forms, ensuring rough congruence of outcomes in similar cases, avoiding abuse.

How, how broad and how fast are serious issues. There is a need for both a strategic framework and operational accountability links both to the formal law and order sector and to communities as well as for appeals to the formal system if the para one is (for whatever reason) producing results perceived as unpredictable and inequitable. Even in Tanzania anecdotal evidence suggests some sungu sungu units and ten cell dispute resolution bodies operate as unaccountable arms of certain (usually local) political office holders, administrators or 'big men' with negative contributions to law and order as perceived by ordinary people.

Mobility is a problem for all services delivery and not only in rural areas. However, it is especially crucial in respect to law and order. Delayed (at least within a week or fortnight perspective) delivery in most services is manageable, but in respect to policing it is grave. At one extreme a teacher at his school with books-chalk-basic supplies within a fortnight of target date can do up to 95% of his intended deliveries, whereas a rural police constable equally isolated and late supplied could be reduced to 5% of intended deliveries. It is no accident that Ngara and Karagwe Districts now have the most mobile police forces in Tanzanian-priority to policing there has include priority access to vehicles, spares and fuel even if not generally to the mobile telephone systems omnipresent among foreign officials and NGO vehicles and operating bases.

The fiscal backdrop to both bureaucratic and law and order improvement is beyond the scope of this chapter. However, two observations may be appropriate. To yield major results, procedural reforms need more resources to process. Savings from better use of existing flows within functions and reallocations among functions will in most cases (Mauritius and Botswana are, and Namibia, South Africa and Cape Verde are possibly exceptions) be inadequate.

- There is no inherent reason that more basic reallocations and additional mobilisation need be unattainable. First, most (not all) technical assistance replicates or replaces domestic personnel and institutions debilitated by resource constraints and/or weak procedures. If the latter were addressed, a shift to up to half of all technical assistance (up to 20% of bilateral aid in much of SSA where 40% TA to total aid ratios are not uncommon) would become possible and logical on both capacitation and economic efficiency criteria.

Second, the relaxation of the pre 1980 canon that aid should go only to physical capital creation projects and technical assistance should be extended more generally to include agreed "efficiency pay scales" (not selective donor payments to individuals) as it already has been to maintenance, key complementary resources (e.g. pharmaceuticals, textbooks), training and mobility. The rising proportion of programme especially import and fiscal support assistance means that few technical barriers to such shift exist. The fungibility (re-deploying generally usable resources to priority uses) and quasi-market (incremental benefit/cost ratios of alternative uses) arguments for such relaxation are very strong the main barriers appear to be psychological and inertial.

Third, at point of delivery levels, communities demonstrably can and will participate paying if payments relate to actual deliveries in a reasonably transparent and predictable way and are at levels sustainable from actual community cash, kind and labour resources. User fees set by and paid to the centre usually fail both tests. Cash is not necessarily the optimal sole resource nor the most available one to users. Agreed community resource inputs would provide very real incentives to deliver for the service providers.

These notes are not by themselves a plan for overcoming or loosening real resource constraints. They are reasons to perceive such a strategy as attainable and as having structural as well marginal potential. The resource unlocking exercise's first steps need to be part of the package including bureaucratic and law and order strengthening and reform on which this paper centres.

In conclusion to the woman in the field and the man on the street, good governance centres on desired basic service delivery and a peaceful context in which to carry on life and livelihood. Good governance - including participation, elections, the rule of law are largely (not entirely) perceived in and judged by these tests. "Bureaucracy" and "law and order" have a great deal to be said for them as key contributory means to those ends, but in order to achieve that potential they need to be viewed from the micro user as well as from the macro philosopher or administrator/political leader perspectives.