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EFFECTIVENESS OF DECENTRALISATION IN THE GAMBIA

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As a community development and empowerment promoter and human rights educator/activist, I am always eager to pursue further knowledge and experience in Governance, Human Rights and Development and their relationships which will contribute to both my professional development, and the fulfilment of specialised human resource needs in the Gambia and Africa as a whole. My goal is to use my knowledge and skills gained to empower and build the research and analysis capacity of especially other rights-based organisations in my country and to make good governance and human rights enduring ethical standards for addressing both human and sustainable development goals of the communities through promoting democratic governance.



EFFECTIVENESS OF DECENTRALISATION IN THE GAMBIA

A Dissertation Submitted to the Pan African University - Institute for Governance, Humanities and Social Sciences in partial fulfilment of the requirements for the Award of a Degree of Masters of Science (MSc) in Governance and Regional Integration of the Pan African University.

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6 November 2015

CERTIFICATION



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**Institut Gouvernance, Humanités et Sciences Sociales
Institute of Governance, Humanities, and Social Sciences**



***Siège institutionnel: Université de Yaoundé II-SOA, CAMEROUN
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DECLARATION

This Dissertation Entitled “Effectiveness of Decentralisation in The Gambia” is my original work and has not been presented for an academic degree in any other University. Research being a continuous process where I have had to bring in ideas of earlier researchers (whether from printed sources, the internet or otherwise) due acknowledgements is given and reference is made according to the requirements of Pan African University. I also declare that any mistakes or omissions in this dissertation are the responsibility of the author alone and please accept my apologies.



.....
Abdoulie Fye

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DEDICATION

This Dissertation is dedicated to ActionAid International The Gambia, My Wife Bintou Fatty and our Family, My Late Father Ebrima Fye and Ms. Ashu Kelly-Nora Bakume and the Family in Cameroon.

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ABBREVIATIONS/ACRONYMS

AAITG	-	ActionAid International The Gambia
AGI	-	African Governance Institute
ANR	-	Agriculture and Natural Resources
AU	-	African Union
AUC	-	African Union Commission
BAC	-	Brikama Area Council
BCC	-	Banjul City Council
CBOs	-	Community Based Organisations
CDDP	-	Community-Driven Development Project
CILIP	-	Community-based Infrastructure and Livelihood Improvement Project
CRR	-	Central River Region
CSOs	-	Civil Society Organisations
EC	-	European Commission
GOVI	-	Gambian Organisation for Visually Impaired
GRA	-	Gambia Revenue Authority
GTB	-	Gambia Tourism Board
IEC	-	Independent Electoral Commission
LED	-	Local Economic Development
LGA	-	Local Government Authority/Area
LGSC	-	Local Government Service Commission
MDFTs	-	Multi-Disciplinary Facilitation Teams
M&E	-	Monitoring and Evaluation
MoLRG	-	Ministry of Lands and Regional Government
NAMs	-	National Assembly Members
NCCE	-	National Council for Civic Education
NGO	-	Non-Governmental Organisation
OECD	-	Organization for Economic Cooperation and Development
PAGE	-	Programme for Accelerated Growth and Employment
PAU	-	Pan African University

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PAUGHSS	-	Pan African University - Governance, Humanities and Social Sciences
PPP	-	Public-Private Partnership
SDRD	-	Support to Decentralized Rural Development
SPSS	-	Statistical Package for the Social Sciences
SWOT	-	Strengths, Weaknesses, Opportunities and Threats
TAC	-	Technical Advisory Committee
TANGO	-	The Association of Non-Government Organisations
UNO	-	United Nations Organisations
UCLG	-	United Cities and Local Governments
UNDP	-	United Nations Development Programme
UN-HABITAT-		United Nations Human Settlements Programme
UNRISD	-	United Nations Research Institute for Social Development
VDC	-	Village Development Committee
WANEP	-	West Africa Network for Peace-building
WDC	-	Ward Development Committee

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ABSTRACT

The enactment of the different legal instruments and other efforts from 2002 to date, the effectiveness of decentralisation is assumed not guaranteed in The Gambia. This may be attributed to the inadequate redistribution of authority, responsibilities and financial resources for providing public services among the Local Government Councils and other Actors, and unavailability of adequate sources of revenues to the Local Councils. The main objective of this study is to assess the effectiveness of decentralisation in The Gambia. Primary data was collected by administering questionnaires, interview guide and observation. The questionnaire used structured questions and both open-ended and close-ended questions were also utilised and the data analysed using Comparison, Statistical Package for the Social Sciences and Excel. However, secondary data was also collected to augment the studies. A non-probability sampling known as purposive sampling was used to elicit data from 38 respondents. One hundred (100) Per cent of the respondents said that it is true that the inadequate implementation of the laws and policies on decentralisation in The Gambia has affected the realisation of both administrative and fiscal decentralisation. Regarding political decentralisation in The Gambia, 76.4 per cent of respondents said political decentralisation is effective in The Gambia while about 23.7 per cent agrees that it is either weak or moderate. On the effectiveness of administrative decentralisation in The Gambia, 13.2 per cent of the respondents said administrative decentralisation in The Gambia is weak, 78.9 per cent indicates moderate while only 7.9 per cent said it is effective. As regards to the effectiveness of fiscal decentralisation in The Gambia only 2.6 per cent of the respondents said is very effective while 23.7 per cent and 73.7 per cent have the opinion that fiscal decentralisation is moderate and weak respectively. However, 86.84 per cent of the respondents agreed that the effectiveness of decentralisation in The Gambia is either weak or moderate. It is therefore important for the Central Government to totally devolve powers and allocate adequate sources of revenues to the Local Councils in order to ensure the provision of quality services and address the development needs of the citizens through an effective decentralisation system.

RÉSUMÉ

Malgré la promulgation des différents instruments juridiques et autres mesures depuis 2002 à ce jour, la décentralisation est considérée comme inefficace en Gambie. Cette situation peut être due à l'inégale répartition du pouvoir, des responsabilités et des ressources financières nécessaires à la prestation de services publics entre les conseils gouvernementaux locaux et autres acteurs, et à l'inexistence de sources de revenus conséquentes pour les conseils locaux. L'objectif principal de cette étude consiste à évaluer l'efficacité de la décentralisation en Gambie. Pour ce faire, nous avons recueilli des données primaires par l'administration de questionnaires, guides d'entretien et par l'observation. Le questionnaire a été élaboré sur la base de questions structurées, mais également de questions ouvertes et fermées. L'analyse des données a été effectuée à l'aide de la méthode de la comparaison, des logiciels de statistiques SPSS et Excel. Par ailleurs, des données secondaires ont été recueillies pour approfondir la présente étude. Un échantillonnage non-probabiliste a été utilisé pour obtenir des données de 38 répondants. Après analyse, il ressort que cent pour cent (100%) des répondants ont reconnu que la mise en application limitée des lois et politiques relatives à la décentralisation en Gambie affecte la réalisation à la fois de la décentralisation administrative et fiscale. En ce qui concerne la décentralisation politique, 76,4 pour cent des répondants ont déclaré qu'elle est efficace, alors qu'environ 23,7 pour cent se sont accordés sur son caractère faible ou modéré. Quant à la décentralisation administrative, 13,2 pour cent des répondants ont affirmé qu'elle est faible, 78,9 ont déclaré qu'elle est modérée alors que seulement 7,9 ont indiqué qu'elle est efficace. Pour la décentralisation fiscale, seuls 2,6 pour cent des répondants ont déclaré qu'elle est très efficace tandis que pour 23,7 pour cent et 73,7 pour cent des opinions, elle est respectivement modérée et faible. Cependant, 86,84 pour cent des répondants ont admis que la décentralisation en Gambie est faible ou modérée. Il importe donc que le gouvernement central délègue entièrement des pouvoirs et alloue les ressources conséquentes aux conseils locaux pour garantir les prestations de services de qualité en vue de répondre aux besoins de développement des citoyens.

CHAPTER ONE: GENERAL INTRODUCTION

1.1. Background to the Study

The idea of decentralisation is not new in this world especially in Africa and particularly in The Gambia. During the colonial period there were indirect rules (ruling through local authorities and chiefs) especially in the British colonised countries and today this became the main feature of the policy of decentralisation which is increasingly gaining impetus as a means of ensuring democratic governance at the lower levels of the government. Decentralisation is a widely accepted concept which can facilitate and ensure citizen participation in public decision-making and taking the lead role in their own development; devolution of powers, redistribution of responsibilities and adequate resources to the Local Councils/Governments; accountability and transparency at the local levels of government; and provision of quality services to the citizenry among others but needs to be handled with care.

The post-World War II period saw increasing concern about issues of democratisation and good governance (Joseph Siegel, 2002). According to Samuel P Huntington (1991), one way to begin is to inquire whether the causes that gave rise to the third wave are likely to continue operating, to gain in strength, to weaken, or to be supplemented or replaced by new forces promoting democratisation. He added that the major factors that have contributed significantly to the occurrence and the timing of the third-wave transitions to democracy are: (1) The deepening legitimacy problems of authoritarian regimes in a world where democratic values were widely accepted, the consequent dependence of these regimes on successful performance, and their inability to maintain "performance legitimacy" due to economic (and sometimes military) failure, (2) The unprecedented global economic growth of the 1960s, which raised living standards, increased education, and greatly expanded the urban middle class in many countries, (4) Changes in the policies of external actors, most notably the European Community, the United States, and the Soviet Union, and (5) "Snowballing," or the demonstration effect of transitions earlier in the third wave in stimulating and providing models for subsequent efforts at democratisation. Huntington added that the obstacles to democratisation in Africa are overwhelmingly economic.

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This does not mean Huntington have undermined the other obstacles (political, cultural and social among others) to democratisation in Africa.

In addition, Francis Fukuyama (1992) “argued that a remarkable consensus concerning the legitimacy of liberal democracy as a system of government had emerged throughout the world over the past few years, as it conquered rival ideologies like hereditary monarchy, fascism, and most recently communism. However, he also argued that liberal democracy may constitute the "end point of mankind's ideological evolution" and the "final form of human government," and as such constituted the "end of history." That is, while earlier forms of government were characterized by grave defects and irrationalities that led to their eventual collapse, liberal democracy was arguably free from such fundamental internal contradictions. This was not to say that today's stable democracies, like the United States, France, or Switzerland, were not without injustice or serious social problems.”

These concerns was given an initial impetus by the growing belief, no doubt that in the aftermath of World War II and the Second Wave of democratisation that democratic governments were less likely to seriously violate basic human rights and to resort to violence and war as a means of resolving disputes among themselves deterring human and sustainable development. These concerns have resulted in increasing attention being paid to issues of decentralisation and most especially to the relationship between decentralisation and good governance and reducing the powers of the central government for development and decision-making to be concentrated in the hands of grassroots structures and citizens. According to Ronald and Henry in Giorgio (2000), disappointing progress in meeting national goals through centralised processes has induced many countries, especially in the developing world, to think beyond top-down development more seriously than in the past. In other authors view rapid political, economic, demographic, and technological changes have fuelled the trend to rely more heavily on lower levels of government for public sector activities. These arguments have shown that decentralisation is crucial in the development of local communities and nation at large.

According to Munawwar Alam and Rishi Athreya (2008), “African countries have undergone waves of decentralisation reforms since their independence. The past two decades have seen a

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real trend towards shifting powers to sub-national governments. The factors motivating decentralisation include securing democratic governance and hence legitimacy at the sub-national level, managing intra-state conflicts and expediting development. The implementation of the decentralisation policies beginning in the late 1980s has been inhibited by inadequate resources and ineffective collaboration. They added that the weakness of decentralisation reforms in Africa is often caused by lack of attention to the process of implementation and management of the reforms.” This today is still a phenomenon in many African Countries.

Decentralisation has emerged as a highly popular strategy for improving quality service delivery and public sector effectiveness, efficiency, responsiveness, transparency and accountability in the developing world which was accepted by many countries all over the world. According to Braun and Grote (2000), “the increased opportunities for citizen participation and ownership under decentralised systems are also claimed to contribute to social and political stability. There are continuous efforts to restructure governments to promote good governance, management of public resources and effective public administration, with participation of the people in the decision-making processes as well as in development activities.” Thus the concept of decentralisation is increasingly adopted and applied in many African countries, including The Gambia.

The Government of The Gambia’s commitment to decentralisation has found expression in the 1997 Constitution of the Second Republic of The Gambia, especially at Section 193 (1) thereof, and at Section 214 (3), which embodies the Directive Principles of State Policy (1997 Constitution of The Gambia). The national policy road map, Vision 2020, also stresses the need for decentralisation in order to harness popular participation at the grassroots level in national development. It is generally accepted, however, that decentralisation is a long-term political process that is complex, costly and requiring a lot of preparatory work. In implementing a decentralisation programme, therefore, a number of cross-cutting issues have to be addressed. Notable among these are the absolute need to build adequate capacity at Local Government levels to facilitate absorption of the competencies to be devolved to them, the setting up of a coordinating, monitoring and evaluation mechanism, capacity building for decentralised development planning, awareness creation, and the sound financial base necessary to implement

the programme (as cited in the former National Policy on Decentralisation, The Gambia 2007). These policy objectives for local government reform aim at extending the process of decentralisation by promoting the direct participation of the population in the management of their own affairs, and the promotion of a spatially integrated approach to local development (people-centred) (ibid).

The Preliminary results of the 2013 Population and Housing Census show that 1,882,450 persons were enumerated in The Gambia. This provisional count shows a 5.6 per cent increase over the projected 2013 population of 1,783,424. This variance can be attributed to a number of factors one of which is a possible improvement in the census coverage of 2013 compared to 2003. The significant drop in the population growth rate from 4.2 per cent during the inter-censal period 1983-1993 to 2.7 per cent over the period 1993-2003 is a possible indication of an under-count of the population in 2003. The provisional population count indicates an absolute increase of 521,769 persons (or 38.3 per cent) compared to the number of persons enumerated in last census (2003 census). Overall, the provisional population indicates that the population of The Gambia has steadily grown since the commencement of a complete census in 1963, rising from less than a third of a million persons in 1963 to 1.4 million persons in 2003 and now 1.9 million persons in 2013. The steady increase in population size for decades has policy implications for all sectors particularly the education, health, housing and agriculture sectors respectively. With the consistent increase in the population there is increasing demand for services and land both for residential and agricultural use. With an increasingly adverse economic climate at the global level and increasing environmental problems, an increasing population at this rate will continue to pose development challenges. Overall, the population of The Gambia has increased by 38.3 per cent during the inter-censal period 2003 - 2013 (The Gambia 2013 Population and Housing Census Preliminary Results).

However, the population of Banjul declined during the period by 10.7 per cent. This can be attributed to the relocation of most of the compounds in Half-die to West Coast Region for the expansion of the Banjul Port facilities. In addition, the renovation of the police barracks in Banjul led to a temporary relocation of personnel of the Police Force outside the city. The largest increase in population was recorded in Brikama. This is largely due to the migration of many

people from within the country and without to the districts of Kombo North, Kombo South and Kombo Central over the past decade. Kombo North attracted most of the growth largely due to the new housing schemes established in the district over the past decade and the movement of migrants to the region. The other LGAs where the population increased significantly overtime are Basse (31.4 per cent) followed by Kerewan and Kuntaur each increasing by 27.9 per cent and 26.3 per cent respectively (ibid).

Population dynamics are also other factors that greatly influence poverty and inequality. During the period 1993 to 2003 the population of The Gambia grew by about 2.8 per cent per annum compared to the growth rate of about 3.4 per cent per annum during 2003 to 2013. The population growth experienced during the 20 year period 1993-2013 was characterised by rapid migration and urbanization; factors which greatly influenced employment, unemployment and underemployment. This trend in population growth impacted on economic growth, poverty and inequality. The percentage of the population living in the urban areas increased from 46 per cent in 1993 to 60 per cent in 2013 (Fanneh, Ndow and Yaya S. Jallow, 2013).

Based on the growing population of The Gambia and high demand for development in all aspects of the citizens lives there is a need for a sound decentralisation policy, programme and effective implementation of the current decentralisation instruments in order to realise their ultimate goals and objectives. Moreover, the 1997 Constitution of the Second Republic of The Gambia prescribes a system of governance that is participatory at all levels of society, especially at local level. Section 193 (1) of the Constitution is unambiguous in this regard where it clearly states that “local government administration in The Gambia shall be based on a system of democratically elected council with a high degree of local autonomy”. The Directive Principles of State Policy at Section 214 (2 and 3) further iterate: “the people shall express their will as to who shall govern them and how they shall be governed, through regular, free and fair elections of their representatives” and “the state shall be guided by the principles of decentralisation and devolution of government functions and powers to the people at appropriate levels of control to facilitate democratic government” (Samba Faal, 2008).

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One of the main general approaches to decentralisation in The Gambia is the devolution of powers which stated that “Powers which may be exercised by local authorities must be clearly defined. It is taken for granted that the devolution of powers will be a gradual and on-going process. However, local authorities must assume ... some general powers consistent with their autonomous status. The process of devolution and distribution of competencies between Central and Local Government levels will be in response to local capacities and needs, according to the principle of subsidiary. This entails leaving at local level all powers and responsibilities to plan, initiate, co-ordinate, manage and execute policies in respect of all matters affecting the people directly within their areas, which concern their needs and which they have the capacity to manage” (National Policy on Decentralisation, The Gambia, 2007).

The Vision 2020 document, under the Good Governance rubric, has also adopted the decentralisation strategy: “to encourage participatory government and balanced development, Government shall pursue an intensive political and institutional decentralisation process” (Samba Faal, 2008). This will contribute to poverty alleviation and diffuse the different socio-economic tensions that spring out of rapid population growth, rural-urban drift, unemployment and regional disparities in economic development. In pursuit of these goals, and following a series of broad consultations involving all the stakeholders in the process in October 1997, Government approved a Strategy and Plan of Action for reform of the local government system. The key elements of the strategy as stated in the former National Policy on Decentralisation, The Gambia 2007 are:

- Establishment of a Programme Co-ordinating Committee and a Programme Management Unit at the Ministry of Local Government and Lands¹ for the implementation and monitoring of the reforms. These have been establishment and have evolved into a Directorate of governance;

¹ Ministry of Local Government and Lands is now referred to as Ministry of Lands and Regional Government

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- Development of an appropriate legal and institutional framework. This has been achieved by the enactment of the Local Government Act, 2002 (and later amendments), and the holding of local council elections;
- Capacitize local authorities by providing, human, financial and material resources;
- Organise direct participation of the people;
- Create local capacity for programming and financing development; and define central and local government responsibilities.

The study has therefore concentrated on some of these issues to ascertain their level of implementation, the processes in place and challenges faced in achieving a complete decentralised system in The Gambia since the enactment of the Local Government Act in 2002 and other efforts to date. Furthermore, to be able to assess the effectiveness of decentralisation the three key elements/measurements considered in the study as dependent variables are effectiveness of political, administrative and fiscal decentralisation while the intervening variables are power, actors and accountability among others which counts in assessing Effectiveness of Decentralisation.

1.2. Statement of the Problem

Today it is evident that the institutional and organisational capacities of the Local Governments do necessarily not put them in the position for them to have the competencies and capacities necessary to allow a total devolution of powers and resources to them in the decentralisation process. In the case of The Gambia this can be attributed to the Local Government Act, (2002), mandates Councils to establish department of finance, services, planning and development, and administration, each to be headed by a director. These departments have been created, in skeletal form in some of the Councils, but the Councils are yet to meet the qualifications for appointment to the posts as required by the Local Government Service Schemes of Service even though the Local Government Service Commissions were inaugurated sometime in 2012/2013. In addition,

the same Act mandated the Municipal/Area Councils to appoint qualified and experienced personnel to be able to run in the most effective and efficient manner on matters relating to competencies that are to be devolved to them such as agriculture, education, environmental matters, forestry, wildlife and fisheries etc. in which the necessary requirements are yet to be in place.

With the possible exception of Banjul City Council and the Kanifing Municipal Council, all of the Councils do not have a revenue base adequate to meet their obligations. Inadequate revenue collection mechanisms also mean that arrears of revenue not collected mount up every year. In some Councils up to 35% of revenue budget is not collected (as quoted in former National Policy on Decentralisation, The Gambia 2007). This affects the operations, delivery of quality service to the people by the Local Councils and also raised questions if the accountability and transparency mechanisms put in place to smoothly facilitate decentralisation are very sufficient to address misconducts in Councils. “Under Section (8) of the Local Government Finance and Audit Act, (2004), every Council has the right and obligation to formulate, approve and execute its budget”, provided that it is balanced; however the endorsement of their budgets from the Ministry of Lands and Regional Government and the budget approval procedures stated under Section 9 of the same Act can affect the timely implementation of the annual budget by the Councils thereby affecting the delivery of quality services to the people.

Furthermore, the traditional sources of revenue (Car parks, Hotels, “Abattoir”, Billboards, Forestry, Livestock, Sand Mining etc.) of the Councils are now under the control of the Central Government or its established agencies/authorities resulting to limited sources of financial resources to the Municipal/Area Councils and this has affected the required resources necessary for the decentralisation process. The needs of the communities such as good roads, proper drainage systems, portable drinking water, street lights, basic health services, waste management, addressing flooding problems among others, can only be addressed by the Councils if there are adequate sources of resources available and accessible to the Municipal/Area Councils and their capacity to properly manage the public resources which is a key problem holding the Councils hostage in delivering adequate and sustainable development projects to the people.

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A sound decentralised planning is both participatory and consultative at all levels of the local structures. It should start at village level through the Village Development Committees and the ward levels through the Ward Development Committees to capture effectively the immediate development needs of the citizens. It is expected that Council plans are formulated with the technical assistance of the Multidisciplinary Facilitation Teams (MDFTs) especially in the Regions, and approved by the Village and Ward Development Committees respectively, before final submission to the Municipal/Area Council and this is a short-coming in almost all the Local Councils in The Gambia as the procedures are sometimes not given the due attention it deserves. Section (91) of the Local Government Act (2002) of The Gambia provides that every Council shall be the planning authority and may plan and implement any programme or project for developing the infrastructure, improving social services, developing human and financial resources improve the standard of living of the communities. At Council level, the plans are to be prioritised before approval, after having been reviewed and be in agreement with National Policy of the country. The Technical Advisory Committees should play a key part in this consultation but the process is not or is actually followed by few Municipal/Area Councils which makes it difficult for development to be more people-centred.

As stated in the former National Policy on Decentralisation of The Gambia 2007, it has been rightly assumed that Municipal/Area Councils fail to attract the right calibre of personnel to carry out the necessary tasks because of the inadequate material resources at their disposal. Transport is a perennial problem for most of the Councils, with the adverse implications for revenue collection. The same situation obtains as regards proper housing and office equipment for Local Councils. Therefore, since the enactment of Local Government Act in 2002, Local Government Finance and Audit Act in 2004, formulation of a National Decentralisation Policy in 2007 and other efforts, the effectiveness of decentralisation is assumed not guaranteed in The Gambia. This may be attributed to the Centre do not give the citizens the power to elect their Area Council Chairpersons, limited exercise of powers in public decision-making by the citizens or their elected representatives (Local Councils), inadequate redistribution of authority, responsibilities and financial resources for providing public services among the Local Government Councils and other Actors, and unavailability of adequate sources of revenues to the

Local Councils either raised locally or transferred from the Central Government as well as the total lack of the authority to make decisions about financial borrowing and expenditures.

1.3. Research Questions

1.3.1. Central Research Question

To what extent is the effectiveness of decentralisation in The Gambia?

1.3.2. Specific Research Questions

1. How effective is the implementation of the legal instruments on decentralisation in The Gambia?
1. To what extent is the effectiveness of political decentralisation in The Gambia?
2. How effective is administrative decentralisation in The Gambia?
3. What is the level of effectiveness of fiscal decentralisation in The Gambia?

1.4. Objectives of the Study

1.4.1. General Objective

To assess the effectiveness of decentralisation in The Gambia

1.4.2. Specific Objectives

1. To assess the implementation of legal instruments on decentralisation in The Gambia.
1. To examine the extent at which political decentralisation is effective in The Gambia.

2. To examine the effectiveness of administrative decentralisation in The Gambia.
3. To establish the level of effectiveness of fiscal decentralisation in The Gambia.

1.5. Hypotheses

1. Absence of effective implementation of the legal instruments on decentralisation in The Gambia is assumed to be contributing to the ineffective realisation of both fiscal and administrative decentralisation process.
2. Lack of Council Chairpersons being elected by a general adult suffrage is assumed to be affecting their ability of being accountable to the citizens and this is presumed to be as result of limited political decentralisation in The Gambia.
3. The ineffectiveness of administrative decentralisation across local government councils and other actors is presumed to be as result of lack of total devolution of powers, responsibilities and provision of financial resources from the central government.
4. Accessing inadequate level of revenues that is either raised locally or transferred from the central government to implement the needed development programmes and providing quality services to the communities is presumed to be as a result of lack of total fiscal decentralisation in The Gambia.

1.6. Significance of the Study

Local governance and decentralisation have continued to exist in Africa and the enactments of the decentralisation laws in various countries in Africa has proved not to be very effective. This is due to several factors ranging from inadequate citizen participation, devolution of powers and resources, and efficient management of the available resources. This study identifies the insufficiencies in the decentralisation process that would best understand how to address them in contributing to the effectiveness and efficiency in providing quality services and citizen

participation among others in the decentralisation process in Africa with the case of The Gambia. In addition, the significance of this study is to:

1. Improve public understanding on the importance of decentralisation to enable the citizens to hold their local government officials accountable and transparent in the execution of their functions and also increase citizens’ involvement and participation in the decentralisation process of The Gambia in order to ensure the achievement of national development goals and aspirations of the people.
2. Improve literature on the concept of decentralisation in The Gambia to facilitate: the total devolution of powers from Central Government to the Local Councils, building the institutional capacity (human, finance, physical) of decentralisation structures and actors, adequate allocation of revenue sources to the Councils, the strengthening of downwards accountability of Local Councils to the citizens and knowledge sharing on decentralisation among the general public.
3. Broaden the knowledge of the local government structures and actors on the functions and significance of decentralisation and local governance in uplifting the living standard of the people to meet the human and sustainable development goals.
4. Inspire the central government to speed-up the full implementation of the decentralisation programme in The Gambia in Partnership with the Local Authorities and the Civil Society to address the development needs of the communities and provide quality service to the door step of the people.

1.7. Limitations of the study

The main limitation to this study is the lack of a Library at the Pan African University (PAU) and the availability of adequate relevant materials on decentralisation and local governance in The Gambia. Another limitation was the failure of some of the key target respondents to answer the

self-administered questionnaire which warranted conducting a follow-up interview within a shortage period of time in order to meet the deadline for submission set by PAU.

1.8. Justification of the study

The continuous inadequate provision of quality services to the citizens and inefficiency in addressing the development needs of the communities which are intended to be addressed through the decentralisation process in The Gambia requires to be understood and how the failures identified should be addressed by understanding specified standards of an effective decentralisation process in order to improve its effectiveness and efficiency towards its intended purpose. In addition, since the enactment of Local Government Act in 2002, Local Government Finance and Audit Act in 2004 and formulation of a National Decentralisation Policy for The Gambia in 2007, why are the concept of decentralisation and local governance principles and all the necessary structures for decentralisation are yet to be fully implemented or realised in The Gambia? These concerns encouraged the researcher to explore the field for eliciting more data on the issue for consideration by the different actors in the implementation of the decentralisation concept in The Gambia.

1.9. Definition of key terms

As discussions will centre on the following keywords/concepts (Decentralisation, Democracy, Ethics, Governance, Good Governance, Leadership, Management, Democratic Governance, Sustainable Development etc.) there is a need to define them in order to make the readers understand better usage of the concepts in this document as they plays an important role.

i. Decentralisation

Decentralisation is a polysemous concept that has defied a specific definition, thereby meaning different things to different people. Conventionally, decentralisation is defined as a process through which central government transfers various forms of authority and functions to subnational governments for timely adaptation to locally specific conditions. This is a broad definition, and usually suitable for accessing the degree of autonomy and authority granted to

local governments, including planning, financing, and implementing their policies (Herman Touo, 2014). According to Burki and colleagues (quoted in Nyendu, 2012), the concept of decentralisation means: the process of devolving political, fiscal, and administrative powers to Sub-national units of government and decentralisation may consist of bringing such governments into existence, restoring them after a period of authoritarian rule, or expanding the resources or responsibilities of existing elected sub-national governments”. In this sense, a policy of decentralisation will seek to shift accountability from governments at the centre to sub-national governments that will be accountable to people at the local level (ibid). Smith similarly defines the concept as a means for “both reversing the concentration of administration at a single centre and conferring powers of local government” (Smith, as quoted in Nyendu, (2012). He further notes that, when applied to politics, decentralisation concerns itself with the distribution of power through the various levels of the state, taking cognizance of both the institutions and processes established for the exercise of such powers (ibid).

In this study decentralisation means the transfer of power and authority and allocation of adequate resources from the central government to sub-national units/local councils, either by political, administrative, and fiscal means. Decentralisation is used in this study to understand the implementation of legislation on decentralisation, political, administrative, and fiscal decentralisation which involves shedding of power, responsibilities, functions and resources by central government to sub-national governmental institutions (Local Councils).

ii. Effectiveness

In this study effectiveness means doing the thing right as expected by the legislation and international standards on decentralisation. In this study effectiveness looks at the degree or levels of the capability of producing the desired results in relation to the intended and expected outcomes of an effective decentralisation process.

iii. Leadership

Rob Goffee and Gareth Jones (2007) defines leadership as “the process of influencing others to understand and agree about what needs to be done and how to do it, and the process of facilitating individual and collective efforts to accomplish shared objectives”. In addition they also define leadership as “a process whereby an individual influences a group of individuals to achieve a common goal.” These definitions suggest several components central to the phenomenon of leadership. Some of them are as follows: (a) Leadership is a process, (b) leadership involves influencing others, (c) leadership happens within the context of a group/organisation, (d) leadership involves goal attainment, and (e) these goals are shared by leaders and their followers. This means the development of any country is a collective responsibility and not a one person show. The very act of defining leadership as a process suggests that leadership is not a characteristic or trait with which only a few, certain people are endowed with at birth. As such leadership is a transactional event that happens between leaders and their followers. Viewing it as a process means that leaders affect and are affected by their followers either positively or negatively. Thus is a two-way, interactive event between leaders and followers rather than a linear, one-way event in which the leader only affects the followers (ibid).

In this study, Leadership is basically about the ability to influence your subordinates, followers, your peers, and your bosses in a work or organisational context and in the absence of influence, it is impossible to be a good leader. There is no doubt that having influence over people means that there is a greater need on the part of the leaders to exercise their influence and powers in general but must be done ethically. Therefore, the leadership of Africa must work toward a common interest or goal in order to positively impact on the life of the people they are mandated to serve through an effective decentralisation process.

iv. Democratic Governance

Democratic Governance is the array of processes through which a society reaches on consensus and implements regulations, human rights, laws, policies, programmes, activities and social

structures in pursuit of justice, equality, equity, welfare and environmental and other natural resources protection. The programmes, policies and laws are carried out by many institutions such as the legislature, judiciary, executive, political parties, public service, private sector, international partners and several civil societies which are also the tenants of decentralisation. In this sense democratic governance brings about the question of how a society organises itself and operates to ensure equality (of opportunity) and equity (social and economic justice) for all its citizens without partiality and discrimination.

v. Ethics

In the Western world, the definition of ethics dates back to Plato and Aristotle. Ethics comes from *ethos*, a Greek word meaning character, conduct, and/or customs. It is about what morals and values are found appropriate by members of society and individuals themselves. Ethics helps us decide what is right and good or wrong and bad in any given situation. With respect to leadership, ethics is about who leaders are, their character and what they do, their actions and behaviours in governing the people and the national resources. This is crucial in decentralisation as the governing of people and the national resources at local levels cannot be done effectively and efficiently in the absence of accountability and transparency.

vi. Sustainable Development

Bruntland describes sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Two key concepts being that of ‘needs’, and in particular the essential needs of the world’s poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organisation in the environment’s ability to meet present and future needs. This study also indicates that decentralisation has a crucial role to play in meeting human and sustainable development hence its usage is relevant in this study.

1.10. Organisation of the Work

The work is mainly divided into Five Chapters. First the preliminary pages includes a cover page, Certification by the Supervisor, Declaration, Dedication, Acknowledgements, Table of Contents, Abbreviations and Acronyms, List of Figures and Tables, Abstract and Résumé.

Chapter One looks at Introduction on the chapter, Background to the Study, Statement of the problem, Significance of the Study, Research Questions, Objectives of the study, Hypotheses, Limitations of the study, Justification of the study, Definition of key terms and Organisation of the Work. Chapter Two deals with the Literature Review (Theories, Legal Frameworks, and Concepts of Decentralisation) which covers Introduction, Theoretical and Legal Frameworks, Empirical Review on past studies in other countries, Decentralisation: a double edged sword?, Reasons for Decentralisation in The Gambia, International and National Instruments on Decentralisation, Difference between Decentralisation and Other Key Concepts, Forms of Decentralisation, Decentralisation and Good Governance, Decentralisation and Developmental Issues, Institutionalisation of Decentralisation, Functions of Decentralisation/Local Governance, Organisational Structure of the Decentralisation process in The Gambia and Conclusion.

In addition Chapter Three focuses on the Methodology which treats the Introduction, Research Methodology, Research Design, Study Population, Sampling and Sampling Techniques, Data Collection, Data Collection Instruments, Sample Investigative Questions, Data Analysis and Conclusion, while Chapter Four looks at Presentation and Discussion of Results that is an Introduction, Legal Frameworks to facilitate the implementation of Decentralisation in The Gambia, Institutionalisation/Organisational Structures of Decentralisation, Implementation of the Decentralisation Instruments in The Gambia, Political Decentralisation, Administrative Decentralisation, Fiscal Decentralisation, Human Resource Capacity of the Councils, Service Delivery by the Local Councils, Participation of other Actors in the Decentralisation Process, Monitoring and Evaluation (M&E) of the Local Government Authorities, Effectiveness of Decentralisation in The Gambia and Conclusion.

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The dissertation is concluded with Chapter Five which presents the Conclusions and Recommendations (Introduction, Conclusions, Recommendations on the Legal Frameworks to facilitate the implementation of Decentralisation in The Gambia, Institutionalisation/Organisational Structures of Decentralisation, Implementation of the Decentralisation Instruments in The Gambia, Political Decentralisation, Administrative Decentralisation, Fiscal Decentralisation, Human Resource Capacity of the Councils, Service Delivery by the Local Councils, Participation of other Actors in the Decentralisation Process, Monitoring and Evaluation (M&E) of the Local Government Authorities and finally the work ended with the Bibliography and Appendices.

CHAPTER TWO: LITERATURE REVIEW AND THEORITICAL FRAMEWORK

2.1. Introduction

This Chapter identifies and examines the theoretical and legal frameworks to be able to portray the importance and deficiencies of decentralisation, forms of decentralisation and its relationship with other concepts and developmental issues. The Chapter further looks at some of the reasons for decentralisation in The Gambia and the International and National Instruments on Decentralisation such as the 1997 Constitution of The Gambia, The Gambia Local Government Act (2002), World Charter on Local Self-Government (Initial Draft Text), International guidelines on decentralisation and the strengthening of local authorities and the African Charter on Values and Principles of Decentralisation, Local Governance and Local Development which are yet to be signed and ratified by the required number of countries raised concerns if governments are really serious with decentralisation. This Chapter also presented an Empirical Review on some conducted studies, Dimension/Essential Elements to determine Effectiveness of Decentralisation, Institutionalisation of Decentralisation, Functions of Decentralisation/Local Governance, Functions of Local Councils in The Gambia and Organisational Structure of the Decentralisation process in The Gambia.

2.2. Theoretical and Legal Frameworks

Decentralisation becomes necessary when the central power finds it increasingly difficult to fully and properly administer a country and respond efficiently to the aspirations of its peoples. Among the many reasons for decentralisation, economic efficiency is at the heart of the debate between supporters and opponents of decentralisation policies. The efficiency argument constitutes the core of the “first generation theory” of decentralisation that started to emerge around the 1950s and 1960s, and culminated in a highly original and influential *Fiscal Federalism* by Wallace Oates, (1972) in Herman Tuo, (2014).

Decentralists argued that because local governments are located closer to the people, they are better suited than central government to identify what kinds of services people need. This information advantage in identifying public needs suggests that local governments can produce services that are more responsive to public aspirations. This is often called the principle of subsidiarity: “provision of public services should be located at the lowest level of government, encompassing, in a spatial sense, the relevant benefits and costs” (Oates, 1999 as quoted in Saito, 2010 in Herman Touo, 2014). In addition, Herman Touo indicated that public needs differ from one locality to another. Local governments can provide “tailor-made” solutions in each locality, whereas the central government tends to impose standardised services across the country.

Pro-decentralists also insist that decentralisation helps to achieve ethnic harmony and national unity. They argued that local democratisation is a prerequisite for building national unity in multi-ethnic and multi-religious societies in both industrialised and developing countries. They argue that increased local autonomy can better accommodate the competing interests of diverse social groups, including ethnic and religious minorities. Unless the legitimate political claims of the local population are reasonably satisfied, national unity and harmony cannot be established. Local governments are in a better position than central governments to facilitate diverse claims by their populations. These considerations particularly apply to Africa, where the states are formed on the basis of colonial legacies (ibid).

Last but not least, among pro-decentralists, decentralised states are considered to be less bureaucratic and smaller than centralised ones. They argued that decentralisation measures make the public sector smaller, as more functions are delegated to local authorities with improved inter-office coordination. Improved efficiency and effectiveness of public resource management at the local level means that large bureaucracies are no longer required at the centre (World Bank, 1999 in Herman Touo 2014). A shift from centralised to decentralised states is proposed in the search for an alternative mode of problem-solving. This shift is further supported by the romantic image of small communities where direct participation was possible. Often decentralised states are thought to embody the ideal polity that would serve the needs of its citizens (Herman Touo, 2014).

The “second generation theory” (SGT) of decentralisation has recently emerged, especially in the last ten years or so. This new theory has the following characteristics, though the ‘new’ does not totally deny the ‘old’: It emphasises political economy in its approach, whether or not incentives for diverse stakeholders are congruent in order to attain common objectives. It acknowledges that information is not equitably shared among these stakeholders. It goes beyond the idealised normative assumptions by paying relatively more attention to empirical results. It moves beyond North America and industrialised countries to global comparisons. In short, efforts are made to understand very complex political as well as socio-economic relations between national and sub-national governments (Oates, 2005, quoted in Saito, 2010 in Herman Touo, 2014).

Democracy as a system of government in my view, have four major elements, namely; A political system for choosing and replacing the government through transparent, free and fair elections, the active participation of the people as citizens in politics and civic life, Protection of the human rights of all citizens, and A rule of law, in which the laws and procedures apply equally to all citizens which are crucial in any decentralisation process in order to ensure human and sustainable development.

In the next sub-sections of this section we will examine the different theories that back this study and how they are utilised. The sub-sections also presented the different legal frameworks that supports this study and went further to indicate some strengthens and weaknesses of those legal frameworks in supporting the decentralisation process.

2.2.1. Theoretical Framework

This study is built on Structural Functionalism Theory, System Theory, Cultural Theory and Institutional Public Policy Approach;

Structural Functionalism Theory, according to Devi Prasad Subedi, Functionalism is the oldest and dominant conceptual perspective in society. Functionalism has its roots in the organisms (Comte) of early 19th century. Organism of Comte (and later that of Spencer and Durkheim) influenced the functional anthropologists Malinowski and Redcliffe Brown. Durkheim's timeless

analysis and Weber's emphasis on social taxonomies (ideal types) began to shape modern/contemporary structural perspective. Functionalism addresses the society as a whole in terms of function of its constituent elements such as norms, customs, traditions, institutions etc. Social structures are stressed and placed at the centre of analysis and social functions are deduced from these structures.

Structuralists proposed structural reading of Marxism in the following way (macro perspective of society): society consists of a hierarchy of structures distinct from one another; Conflict is naturally prevalent within social structures; People are the product of structural conflict; Conflict emerges by itself because of incompatible relationships, therefore change will come; Just like internal organs of a normal biological organism, society maintains its stability; order and progress only when social organs, structure and institutions coordinate and cooperate with each other (are in equilibrium), NOT conflict with each other; and Society cannot operate for any length of time on the basis of force. Society is held together by the consensus of its members (ibid).

This theory proposes that a human society is like an organism and is made up of structures called social institutions. These institutions are specially structured so that they perform different functions on behalf of society as a whole. This theory attempts to provide an explanation on how human society is organised and what each of the various social institutions does in order for society to continue existing. According to this theory, as a result of being interrelated and interdependent one organ can affect the others and intimately the whole. This theory therefore suit the importance of studying decentralisation and the relationship between Central Governments, Local Governments, Citizens and other development actors/stakeholders in making the society to function well which can bring development to the immediate door step of the communities.

The usage of this theory in the study is to show the different actors and the roles they can play in the decentralisation process in order to compliment the efforts of the Central Government in providing quality services to the door step of the people and meeting their development needs. The problem with the Structural Functionalism Theory is that is too general in looking at the

society as a whole with its parts and does not look at specifically the key elements/variables (Political, Administrative and Fiscal Decentralisations among others) in the decentralisation process that can make the society to function well in a decentralised environment but are addressed by the system theory.

System Theory, as quoted in John R. Fisher (2010) on the other arguments of other authors, “a long-standing problem of political science has been to describe and account for the internal structure of the political system. According to William Mitchell (1968), structure is generally applied to patterns of power and authority that characterize the relationships between the rulers and the ruled. These relationships are enduring and thus predictable. In system theory the unit of analysis for these power relations is role a concept developed in social psychology and applied to sociology. Political roles deal with decision-making on behalf of society and with performing actions that implement the decisions and allocate scarce resources.”

Furthermore, John R. Fisher (2010) still on the other arguments of other authors, added that “traditionally, the main approach to classification has been "the distribution of power" (Mitchell, 1968) among the members of the system. Because the one dimension of roles has inadequately described political systems, systems analysts have developed more inclusive variables that lend themselves better to measurement (ibid). Talcott Parsons (1951) put forth a set of variables that he called pattern-variables. Gabriel Almond, (1956); Almond & Coleman, (1960) suggested classifying structures based on (a) the degree of differentiation between structures, (b) the extent to which the system is "manifest" or "visible," (c) the stability of the functions of the various roles, and (d) the distribution of power. Mitchell (1968) added a fifth dimension, concerning the "sustainability of roles.”

The theory very much best suits issues of concern in both administrative and fiscal decentralisations and it has also brought out some issues related to political decentralisation. The author used this theory to make strong emphasis on redistribution of authority, responsibilities and resources to the Local Councils. Both administrative and fiscal decentralisations deal with the allocation of adequate resources, decision-making on finances, redistribution of powers/authorities, the transfer of responsibility for the planning, financing and management of

certain public funds from the central government and its agencies to units of government agencies, subordinate units or levels of government especially to the Local Levels. The cultural theory has addressed the linkage between a democratic political system, provision of services and citizen participation due to the fact that the system theory does not address this issue very well.

Cultural Theory, in contemporary political theory, an influential approach to participation has been the one put forward by the tradition of the ‘civic culture’ (Almond and Verba, 1963; Inglehart, 1988, 2000 in Herman Touo, 2014). According to this cultural perspective, a “democratic political system is one in which the ordinary citizen participates in political decisions, and democratic political culture should consist of a set of beliefs, attitudes, norms, perceptions and the like, that support participation” (Almond and Verba, 1963: 178 in Herman Touo, 2014).

This political culture has been shaped by the nation's history and by the on-going processes of social, economic, and political activity. The attitudes and patterns that have been shaped in past experience have important constraining effects on future political behaviour. The political culture affects the conduct of individuals in their political roles, the content of their political demands, and their responses to laws (Almond and Powell, 1978 in Herman Touo, 2014). According to the civic culture view, decentralisation as democracy depends on existing cultural features in society that are exogenous to democratic institutions. One of these cultural features is interpersonal trust (Fukuyama, 1992).

Lucian Pye, (1971) in Herman Touo, (2014) goes one step further and affirms that, in all political systems there are at least two political cultures, an elite political culture and a mass political culture. The elite political culture involves the attitudes, sentiments, and behaviour patterns of those who through the operation of the political recruitment function have been brought to active roles within the political system and have a direct effect on the outputs of the system.

The elite political culture therefore involves primarily those in the authoritative structures and processes. At the heart of the elite political culture and development is the question of the

qualities necessary for effective political leadership for the formulation and execution of national policies. According to the elite theory of policy formation, it is not the people or the "masses" who determine public policy through their demands and action; rather, public policy is decided by ruling elite or privileged minority and carried into effect by public officials and agencies (Anderson, 1978 in Herman Touo, 2014). One important reason for the failure of decentralisation efforts in most African Countries in the past has been the lack of strong commitment of the Central Governments towards the complete devolution of powers, transfer of competences and subsequent resources to the decentralised structures.

The Cultural Theory explains best the futures of political decentralisation in this study. In using this theory, political decentralisation gives the citizens or their elected representatives more powers in public decision-making and more influence in the formulation, implementation, monitoring and evaluation of policies which cultural theory puts more emphasis on.

Institutional Public Policy Approach, traditionally is the institutional approach concentrated on describing the more formal and legal aspects of governmental institutions as their formal organisation, procedural rules, and functions or activities. Policy has been defined as a purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern, and public policy as those policies developed by governmental bodies and officials (Jones, 1970; Anderson, 1978; Kingdon, 1995 in Herman Touo, 2014).

According to Charles A. Lindblom, policymaking is an extremely complex, analytical and political process to which there is no beginning or end, and the boundaries of which are most uncertain. Somehow a complex set of forces that we call “policymaking” all taken together, produces effects called policies (Lindblom: 1968 in Herman Touo, 2014). The most comprehensive definition of public policymaking has so far been offered by Dror: “Public policymaking is a very complex, dynamic process whose various components make different contributions to it. It decides major guidelines for action directed at the future, mainly by government organs. These guidelines (policies) formally aim at achieving what is in the public interest by the best possible means.” (Dror, 1983 in Herman Touo, 2014)

Scholars and practitioners now recognise that the design and implementation of public policy, or what some have called ‘the steering of society’, no longer resides with a single governmental unit acting alone or in close concert with one or two others, but has been supplanted by complex governance networks composed of a plurality of actors, each bringing their own special interests, resources, and set of expertise (Denhardt and Denhardt, 2010 in Herman Touo, 2014). Sorensen and Torfing define a governance network as (1) a relatively stable horizontal articulation of interdependence, but operationally autonomous actors; (2) who interact through negotiations; (3) which take place within a regular to, normative, cognitive and imaginary framework; (4) that is self-regulating within limits set by external agencies; and (5) which contributes to the production of public purpose’ (Sorensen and Torfing, 2008 in Herman Touo, 2014).

The Institutional Public Policy Approach has summoned up all the variables treated in this study and for decentralisation to be effective in any country among others there must be implementable sound decentralisation policies, programmes and structures with a good local governance system put in place which this study puts emphasis on. A country without a policy framework and a policy document without an implementation plan will just be an illusion especially in addressing effectively and efficiently the immediate needs of the people as the proper management and utilisation of the limited resources particularly within the context of decentralisation will always be questionable and done blindly. The main gaps identified in these theories is that they do not deal with the specific concepts or forms of decentralisation and which form of decentralisation is the best or blending/mixing different forms of decentralisation is of paramount. In most cases people prefer and consider devolution as the most important and sustainable form of decentralisation compare to others as it ensures powers, responsibilities and resources are fully transferred to the local government structures.

2.2.2. Empirical Review on past studies on decentralisation in other countries

In trying to assess the effectiveness of decentralisation, effectiveness of political, administrative and fiscal decentralisation, the actors, powers, and accountability are the essential elements to consider. In addition, the local actors should be downwardly accountable for their actions. However, in many instances around the world, decentralisation reforms do not attend to these

elements and which affects the implementation of decentralisation legal frameworks and programmes in many African countries and beyond of which The Gambia is not an exception.

According to Soma Bhowmick (2007), “the planning of the town unearthed in Mohenjodaro reveals the nature of administration of the township. Several thousand years after the Indus Valley, during the pre-Aryan period or the pre-Vedic period we find common people participating in the political deliberations and decision-making in India. When village Panchayats were re-legislated to live in India as “local bodies”, their character had been transformed. They were considered necessary as agencies for development of the rational legal institutions of representative government. The history of modern local self-government in India may be divided into five distinct periods. The first ends with the issue of the well-known resolution of Lord Ripon in 1882. The second ends with the initiation of Dyarchy in the provinces in 1919. The third ends with the commencement of provincial Autonomy in 1937. The fourth period ends with the framing of the Constitution of India in 1947. The final period was set in motion in 1952 after the Indian constitution came into force in 1950. During this period momentous alterations highlighting rural development have taken place. The legislators, the politicians as well as the bureaucrats had glorified “Democratic Decentralisation”. In order to rejuvenate and invigorate the system of local self-governance, Dr. D. P. Mishra the then Minister for local self-government under the Government of India Act 1935 in central Provinces, suggested a three-tier structure of local government with the district as the focal point. Gandhiji, the father of the nation had always advocated such decentralisation of economic and political power in the form of more or less self-sufficient and self-governing village communities, which he considered as models of non-violent organisation.”

However, Soma Bhowmick added that in India “the Constitution Amendments Acts 1992 have rightly left room for incorporating local traditions and practices in the functioning of the local bodies. Also the constitutional amendments unfortunately have not been able to make it mandatory for the states to constitute new local bodies within a stipulated time frame. Over a decade since the amendments were introduced some states have yet to bring forth proper legislation. Even in States where new local self-Government dispensation has been installed,

their progress has been delayed. There is an urgent need of sincere political will for the proper implementation of Democratic Decentralisation.”

In putting forward examples of decentralisation processes in Africa, it was notice that in Burkina Faso for example, the powers to cut, sells and manage forest resources is transferred on private project-based committees, rather than the elected people (Elected Local Government Councils). In the case of Senegal, the responsibilities for forest management are entrusted on elected local people; however, these elected officials were not empowered to access and control the commercial benefits amassed. In both the Senegal and Burkina Faso cases, decentralisation could not be discerned (James, Godwin, Margaret & Joshua, 2012).

In Zimbabwe’s CAMPFIRE programme, powers were transferred to District Development Committees who were largely under the control of central government. In Nepal, one can point to projects that view decentralisation as being accomplished simply by directing a stream of monetary benefits towards a group of resource users rather than attempting to create institutions that allow durable decision-making powers to devolve on local authorities (Agrawal & Ribot, 2007). Lessons from Uganda’s decentralisation efforts are that the confusion over the decentralisation process experienced elsewhere were replicated in Uganda. In Uganda, however, the relationship between the central government and the local governments changed from one of the centre being the controller over the latter to that of a partnership (James, Godwin, Margaret & Joshua, 2012).

According to Herman Touo (2014), Cameroon’s decentralised system of local governance is built on a major assumption that local citizens would participate effectively in making decisions on local development and would be able to enforce responsiveness and accountability from their leaders. It is also assumed that elected leaders would serve the best interests of their electorate, although the reality on the ground shows mixed results in certain councils. It aims to address the crises of governance by establishing local democracy and building sustainable development at the local level.

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It rests on three fundamental principles: subsidiarity, gradualism and complementarity. In other words, decentralisation occurs under the acknowledgment of interdependencies between central and decentralised actors; that is, the locus of capacity and responsibility is partially situated at the decentralised and partially at the centralised level (ibid). (Luc Sindjoun 1999 in Herman 2014) argues that gradualism is aptly used by those in power to postpone certain major reforms and perpetuate the existent system of domination. Subsidiarity consists, to a certain extent, of throwing “hot potatoes” to local councils.

Unlike similar experiences elsewhere in Africa, decentralisation in Cameroon has been characterised by the search for an original and locally-owed approach, taking into account the national and socio-political, cultural and economic realities, with an objective to place the country in line with constitutional and international requirements in the area of decentralisation. In this respect, the Cameroonian path to decentralisation is based on these major features: - the will to base reform on extensive, inclusive and participatory debates and analysis that combine academic approaches and practical experiences; this has actually helped in identifying and assessing certain local dynamics that a strictly technocratic approach would not have discovered the long term perspective, with the objective to achieve complete transfer of competences by the year 2015 the combination of classic mechanisms borrowed from Western models and local dynamics (ibid).

What is interesting as a learning point from these previous studies reviewed is that decentralisation is not a simple social business process based on a blueprint; rather it is a long term process involving various stakeholders especially empowering Communities and Civil Society Organisations to make the necessary decisions that affect their well-being and taking the required actions within the framework of government national policy. The failure of decentralisation in various parts of Africa has been due to the failure of Central Government and Local Government to work together as partners but sometimes the Local Governments see themselves a total independent structure which do trigger the Central Governments exercising their powers over by created/amending Laws on decentralisation to suit the Centre.

2.2.3. Decentralisation: a double edged sword?

Political decentralisation to local government is favoured for a number of reasons. Some of the more important arguments are that it enables minorities to avail themselves of government power, it can keep power close to citizens, it can prevent arbitrary central government rule, it can promote political participation and it ensures more efficient delivery of local government services (Maass, 1959; Sharpe, 1970; Grindle, 2000; Wunch and Olowu, 1990 in Robert Cameron, 2003). There is a ‘motherhood and apple pie’ version of decentralisation that views it almost as a synonym for democratisation. This view was particularly associated with early public choice theory (Ostrom, 1973 in Robert Cameron, 2003).

However, “decentralisation has not always achieved the desired results of its proponents. Indeed, decentralisation has often been associated with political clientelism, corruption and mismanagement (Migdal, 1988 in Robert Cameron, 2003). Appointment of staff is an important ingredient of local autonomy. However, extensive local government control over local staffing without the central impetus of ensuring sound personnel practices can lead to corruption and nepotism. This was pointed out as far back as the 1960s by the United Nations (1962). Appointment of staff is an important area for patronage. Often newly empowered city politicians want to hire their own employees, for political as well as efficiency and loyalty reasons (Grindle, 2000 in Robert Cameron, 2003).” This study indicates that for an effective decentralisation to be realised and maintained in The Gambia both the centre and the periphery must work together in harmony in order to achieve both human and sustainable development. Mindful of quality assurance, appointments and promotions of Local Council personnel in The Gambia should be done by an efficient and effective independent body in the most accountable and transparent environment in order to address the deficiencies of decentralisation as the concept is also “*a double edged sword*” and needs to be handled with utmost care.

2.2.4. Reasons for Decentralisation in The Gambia

Centralisation is a powerful mechanism for the control and coordination of administrations. But it can lead to the making of unadapted decisions to the local realities. Decentralisation permits

the administration to react rapidly to the local conditions or changes; it is a means of motivation, for creative persons usually want a considerable margin of manoeuvre (Mintzberg H. in Moye Godwin Bongyu). Decentralisation follows the principle of subsidiarity which implies that any public function that does not necessarily have to be handled by central authority can be decentralised and entrusted to governmental authorities at sub-national level (Dobiey, 2000).

The present concept of decentralisation pursued by many African governments focuses on the promulgation and revised rules and responsibilities for administrative and political personnel, and on establishing the framework for some sort of local accountable political institutions (Olowu in Michael Kiwanuka 2012). Many African states were centralized during colonial rule and local authorities were inspired by local government systems in operation in the time of the respective colonial masters (Ibid).

This is true that as most colonial governments endorsed this colonial legacy after independence from their colonial masters such as the French and British particularly in appointing local government officials by the Centre. The quest for appropriate planning after independence in many African countries resulted in the adoption of decentralisation (deconcentration), in the form of a network of development committees, which operated in every administrative unit in the field which was linked to the parent committee or a government ministry at the centre (Oyugi 2000 in Michael Kiwanuka).

In the case of The Gambia, PAGE 2012-2015 has indicated that Local Governments play a critical role in overall governance in The Gambia and are key players in economic development, growth and employment. By interacting with local Government authorities, the Government of The Gambia is able to provide valuable insights for policy development. Since the early 1980s, the Government of The Gambia has been rethinking development approaches with a view to ensuring greater citizen participation in national socio-economic development activities. For these reasons, the Government's overarching objective is to accelerate decentralisation and increase the autonomy of local Governments, help them provide more effective and efficient social services and make a greater contribution to economic growth and employment in local communities.

To achieve this objective, the Government will pursue four actions as stated in the PAGE document: Assist local Government authorities, technical line departments, and community institutions to coordinate, inspect, implement, manage, monitor and evaluate decentralised development programmes in a democratic and transparent manner; Ensure that land is used rationally and equitably for different purposes that promote socio-economic development; Promote civil society (NGOs & CBOs) and people’s participation in determining the country’s destiny through a participatory development process; and Administer land judiciously and make access more equitable through comprehensive surveying and mapping (PAGE 2012-2015).

In addition, Section (91) of the Local Government Act (2002) of The Gambia provides that every Council shall be the planning authority and may plan and implement any programme or project for developing the infrastructure, improving social services, developing human and financial resources to improve the standard of living of the communities.

2.2.5. International and National Instruments on Decentralisation

Since the formulation of the initial draft text of a World Charter of Local Self-Government it is only Europe that is able to have a Charter on Local self-Government. The draft text of World Charter pointed out some key points on Local Self-Government which can help in facilitating the process of decentralisation. For example the European Charter of Local Self-Government which got its inspiration from the initial draft World Charter stated that the member States of the Council of Europe, signatory hereto, Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage; Considering that the local authorities are one of the main foundations of any democratic regime; Considering that the right of citizens to participate in the conduct of public affairs is one of the democratic principles that are shared by all member States of the Council of Europe; and Convinced that the existence of local authorities with real responsibilities can provide an administration which is both effective and close to the citizen.

2.2.5.1. World Charter on Local Self-Government (Initial Draft Text)

The Preamble of draft text of the World Charter stated that The States Parties to the present Charter: Recognising that many global problems, as evidenced in Agenda 21 and the Habitat Agenda, must be dealt with at the local level and cannot be successfully resolved without intensified dialogue and co-operation between the State level and local authorities; Recognising local authorities as the closest partners of central governments and as essential in the implementation of Agenda 21 and the Habitat Agenda. The preamble added that Recalling the principle, recognised in article 21 of the Universal Declaration of Human Rights, that the will of the people is the basis of the authority of governments at all levels; Convinced that the principal of subsidiarity is the basis for democratic and participatory development and that any allocation of tasks and responsibilities should abide by this principle; and Committed to promoting decentralisation through democratic local authorities and to strengthen their financial and institutional capacities. There is no doubt that this World Charter on Local Self-Government is an important document promote decentralisation in many countries but the only weak part of this very important Charter is its lack of signature and ratification by countries.

2.2.5.2. International guidelines on decentralisation and the strengthening of local authorities

In the follow-up to the Habitat II Conference held in 1996, local and national spheres of Government, in close collaboration with UN- HABITAT, started exchanging ideas on a possible “World Charter of Local-self Government” to strengthen the role of local authorities in implementing the Habitat Agenda. A first draft of the Charter was discussed among interested parties in a series of national and regional consultations between 1998 and 1999 (UN- HABITAT, 2007).

UN- HABITAT commissioned a survey and presented a report in 2002 stressing the importance of effective decentralisation for enhancing local governance in support of the implementation of the Habitat Agenda. The survey noted that a number of developed and developing countries were involved in redefining relations between their different territorial jurisdictions on one or more of

the following: transferring or streamlining functions, redefining decision-making powers and authority, and reallocating resources. Invariably, the consequences of such changes had a bearing on the political, economic and administrative roles and responsibilities in the management of social, economic and environmental affairs at the local level. These and other findings informed a series of focused debates involving experts and interested groups, which created a new momentum in the on-going dialogue on decentralisation (ibid).

The present “Guidelines on decentralisation and strengthening of local authorities” have, after a decade of research and focused debate, been approved by the Governing Council for UN- HABITAT. The guidelines is expected by the UN- HABITAT and other development partners to serve as a catalyst for policy and institutional reform at the national level to further enable and empower local authorities to improve urban governance in attaining the human settlements related Millennium Development Goals. The following sections and sub-sections of the guidelines have provided impetus for facilitating an affective decentralisation process in any country as it emphasis on the following points:

Political decentralisation to the local level is an essential component of democratisation, good governance and citizen engagement; it should involve an appropriate combination of representative and participatory democracy; Participation through inclusiveness and empowerment of citizens shall be an underlying principle in decision-making, implementation and follow-up at the local level; Local authorities should recognise the different constituencies within civil society and should strive to ensure that all are involved in the progressive development of their communities and neighbourhoods. Local authorities should have the right to establish and develop partnerships with all actors of civil society, particularly nongovernmental organisations and community-based organisations, and with the private sector and other interested stakeholders; and Local authorities should be entitled, either through the constitution or in national legislation, to define appropriate forms of popular participation and civic engagement in decision-making and in fulfilment of their function of community leadership. This may include special provisions for the representation of the socially and economically weaker sections of society, ethnic and gender groups and other minorities.

2.2.5.3. African Charter on Values and Principles of Decentralisation, Local Governance and Local Development

The African Charter on Values and Principles of Decentralisation, Local Governance and Local Development, which is very concerned with grassroots empowerment and participation, is one of the most important Charters of the AU that is yet to be signed and ratified by African Countries. The objectives of the Charter are to: Promote, protect and act as a catalyst for decentralisation, local governance and local development in Africa; Promote and champion local self-government and local democracy as the cornerstone of decentralisation in Africa; Promote resource mobilisation and economic development at the local level with the view to eradicating poverty in Africa; and Promote a shared understanding and a common vision of Member States on matters relating to decentralisation, local governance and local development.

The Charter also aims at to Promote the core values and principles of decentralisation, local governance and local development; Guide policy formulation, implementation, monitoring and evaluation at the continental, regional, state and sub-national levels on decentralisation, local governance and local development; Encourage effective coordination, harmonisation and knowledge sharing within Member States and among regional economic communities on decentralisation, local governance and local development; Promote the association and cooperation of local governments or local authorities at the local, national, regional and continental levels; Promote civil society and private sector participation in decentralisation, local governance and local development initiatives; and Realise the vision and objectives of the African Union as contained in its Constitutive Act in order to achieve continental integration and African unity.

Article 3 of the Charter seeks to promote: Decentralisation, Local governance and Local development and Article 4 stated that this Charter shall be informed by the following values: Community spiritedness and community well-being, Solidarity, Respect for human and peoples' rights, Diversity and tolerance, Justice, equality and equity, Integrity and Civism and citizenship. “A Workshop on The African Charter on Values and Principles of Decentralisation, Local Governance and Local Development was conducted in Addis Ababa, on 12 and 13 May 2015. In

his opening remarks, Mr. John Ikabuje Gibodi from the Department of Political Affairs at the African Union informed that only 2 countries (Mauritania and Guinea Bissau) have signed the Charter adopted in June 2014 and no single ratification was registered so far. The ratification process of the African Charter on values and principles of decentralisation and local governance should be defined in this particular context” (UCLG, 015).

2.2.5.4. National Instruments (The Gambia)

The 1997 Constitution of the Second Republic of The Gambia prescribes a system of governance that is participatory at all levels of society, especially at local level. Section 193 (1) of the Constitution is explicit in this regard where it clearly states that “local government administration in The Gambia shall be based on a system of democratically elected council with a high degree of local autonomy”. The Directive Principles of State Policy at Section 214 (3) further iterate: “the state shall be guided by the principles of decentralisation and devolution of government functions and powers to the people at appropriate levels of control to facilitate democratic governance”.

According to The Gambia Local Government Act (2002), Section 10 (1) states that there shall be established for the Local Government Areas set out in Column A of Part 1 of Schedule I, the Councils listed in Column B of that Part which shall be constituted and have such functions as are vested in it by this Act; (2) Each Council shall be a body corporate by the name "Area Council", "Municipal Council" or "City Council", as may be appropriate, preceded by the name of the Local Government Area for which the Council is established; (3) Each Council shall have perpetual succession and a common seal with power to sue and be sued in its corporate name; (4) The Secretary of State may, by Order published in the *Gazette*, establish such additional Councils as he or she may deem necessary for the administration of Local Government Area; (5) Each Council shall be vested with the legislative power of the Local Government Area and be answerable to the Governor; and (6) The legislative power of the Council shall be exercised by By-laws passed by the Council in accordance with this Act and signed by the Governor.

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Based on the Schemes of Service for the Local Government Service in The Gambia, the Schemes of service are to guide Councils in their recruitment of staff as well as in training and development of staff. As the activities of Councils expand, new job cadres will emerge and there will a need to develop more schemes for these cadres. This would of course be the responsibility of the personnel unit of the Department of Administration. These schemes of service will have to be approved by the Local Government Service Commission as per Staff Service Rule 0803.

Local Government Service Act and Local Government Service Commission Regulations as cited in Section 7 stated that the Commission shall consider and decide all matters relating to (a) The appointments, confirmation of appointments, acting appointments, promotions and transfers of local government officers; (b) the selection of local government officers to undergo training courses related to departmental posts; (c) petitions by local government officers, submitted in accordance with the provisions of these regulations. Also Section 8 added that in order to discharge its duties under of these regulations, the Commission shall exercise supervision over and approve all schemes for admission to any local government office by examination, over arrangements for special training for the Local Government Service, and over all other methods of recruitment.

The Gambia Local Government Service Staff Service Rules (2003) emphasis that Staff Service Rules apply to all officers in the Local Government Service and together with the Local Government Service Act and Regulations and any circulars that may be issued from time to time, they constitute the system under which local government officers are engaged and employed. Where any matter arises which does not find mention in these Staff Service Rules, the General Orders of the Public Service may apply. It added that in any case where the provisions of these Staff Service Rules and the Local Government Service Act and Regulations conflict, the Act and the Regulations will apply.

Ministry of Local Governments & Lands Strategic Plan 2010 - 2014 of The Gambia stated that taken together, we are confident that with institutional capacity developed and sustained by providing land use maps for the whole country, supported by a well-structured and implemented development control policy and systems, the MoLRG will be able to provide credible access to

development resources to both groups and people in general and in effect facilitate socio-economic development for poverty reduction. The MoLRG should with all of these successes be able to put in place properly structured LGA administrative systems that will in turn deliver effective local governance.

In addition, the Local Government Finance and Audit Act (2004), Local Government Finance and Accounting Manual (2007) and Programme for Accelerated Growth and Employment (PAGE) 2012 -2015 all gives impetus to the decentralisation process in The Gambia. The National Policy road map, Vision 2020, also stresses the need for decentralisation in order to harness popular participation at the grassroots level in national development.

2.3. Distinction between Decentralisation and Other Key Concepts

This section will further help us to examine decentralisation and its relationship with other common concepts such as deconcentration and participation using a different lens. “Being called upon to satisfy the needs of society, which suffers frequent changes in time and space, public administration, has created structures which would act concretely to fulfil this mission. This is about public services that have a unique role in the daily lives of each of us, given that their organisation and functioning decisively influence the living standards of people. The importance of public services is greater for society as long as the state, as well as its components, villages, cities and counties appear as indispensable tools, designed to ensure its citizens an adequate level of living, to ensure the public good. The important issue which is of interest for the substance of the problem is the distinction between decentralisation and deconcentration of public services, which are two distinct legal realities” (Irina BILOUSEAC, 2009).

Decentralisation in public administration is the basis for solving problems which is not done by officials appointed by the centre, but by those elected by the electoral body. More specifically, in the decentralised administrative system, the administration of the interests of local administration (municipal, town or county) is conducted by freely elected authorities from and by the mass of citizens of that community, which have, according to constitutional rules, their financial and autonomous decision-making power. In the case of decentralisation, the state does not assume

the burden of administration alone, but splits it in certain levels, with other categories of persons such as local communities (ibid). BILOUSEAC added that decentralisation is the transfer of administrative and financial powers from the central government to the local government or private sector required to meet local interests. It is necessary to retain that decentralisation is a principle of organisation and management of the state based on broad autonomy of the local management of the administrative-territorial units.

According to this principle a limited transfer of power of decision from the central government to local ones takes place. Today, the literature in the field imposed two forms of decentralisation:

- *Territorial decentralisation*, which implies that the state is divided into administrative-territorial units, which enjoy independence from the central authority. The leadership of the administrative-territorial units thus created belongs to the local government authorities, which enjoy general physical competence. In this sense, Paul Negulescu in Irina BILOUSEAC 2009, defined the principle of decentralisation as an administrative scheme which recognises "the care of local interests or specific to be entrusted to the authorities whose owners elected by local electoral body may establish rules applicable to the residents of the town". But decentralisation does not imply territorial absolute independence of local versus the state in which they are organised (ibid).

- *Technical decentralisation* (in services), whereby one or more public services are removed from the jurisdiction of central or local authorities and organised autonomously. Therefore, technical decentralisation means granting certain autonomy of a publicly determined service, which is given legal personality. In other words, the principle of decentralisation of public services lies in the transfer of powers from the centre to the local communities, in order to meet the general needs. Decentralisation allows public services to administer themselves, under state control, which confers them legal personality, enabling the establishment of their own authorities and providing them with the necessary resources. The decentralisation of public services ensures the retrieving of administrative and financial powers of certain activities by the local government (county councils, local councils) and is one of the objectives that public administrations have to do in the next period (ibid).

Deconcentration is the division of powers and administrative and financial responsibilities between different levels of central administration. Decentralisation law defines deconcentration as redistribution of administrative and financial powers of the ministries and other bodies of central public administration structures to their own specialty structures in the territory. We appreciate that in the deconcentrated administrative system the central power gives up to a part of its powers, distributing them to the public authorities located at the territorial level. In other words, the principle of deconcentration may be viewed as a move in the territory of powers, responsibilities and competences of the central public administration (Irina BILOUSEAC, 2009).

Administrative deconcentration is regarded as an intermediary between the centralised and decentralised organisation, being characterised by some independence of the local bodies in the forefront of which there are local officials who are appointed by the central bodies. Practically, however, centralisation in public administration exists at any time, because on the one hand, the agents are hierarchically subordinated to the central administrative power, and on the other hand, their decisions are solely attributable to the state. The close relation between deconcentration and decentralisation can be noticed from the appointment of local power holders by the centre, as they are not elected by the local electorate. What drives it closer to decentralisation is the fact that the local power holders have the power to solve local problems themselves without passing them forward to their hierarchic superior from the centre. The decisions are within the jurisdiction of local bodies which have decision-making power, but remain subject to centralisation (ibid).

Irina BILOUSEAC, (2009), added that deconcentration takes in turn two forms: *horizontal* and *vertical*. The first form involves the passing of responsibility of deconcentrated services delivery of various ministries to the sole representative of the state, namely the prefect, unlike vertical deconcentration which puts these services in a direct hierarchy in which the head of the service depends only on the minister concerned.

Participation and Decentralisation are among the most commonly debated themes in New Public Management approach. However, it is beyond the scope of this study to fully review these

debates and take a position on them. David K Hart in Herman Touo, (2014) has noted that: “while there are many reasons for decentralisation, the primary justification is that a decentralised environment is the optimal condition for citizen participation”. Indeed, the arguments are “most often expressed in some variant of the equation that “decentralisation” equals “democracy””. The presumption is that if participation is to take place, some level of face-to-face interaction between citizens and policy-makers has to occur. This is what distinguishes “participatory democracy” from “representative democracy”, also known as the “republican” and the “liberal” models (Habermas, 1998 in Herman Touo, 2014).

Decentralisation is also regarded as permitting more efficient delivery of public services (Cohen and Peterson, 1999 in Herman Touo, 2014). This allows for the triple connection “participation-decentralisation-efficiency”. To promote decentralisation without that prior commitment can lead to unforeseen and sometimes antidemocratic results. An active citizenry holds government accountable, helps ensure the enactment of public demands, and legitimises the political system (Przeworski, 1991 in Herman Touo, 2014). The process of decentralisation facilitates the transfers of power, responsibility and resources from the central to lower levels of government particularly to the local government structures and therefore decentralisation is a system level factor as it represents the shifting of institutional design of a state’s political power distribution and relations.

Drawing inspiration from the existing literature, Nana Akua Anyidoho in Herman Touo, 2014 “observes that participation is a process of involving socially and economically marginalised peoples in decision-making over their own lives. Participation is an attempt to correct the traditional top down approach to development policy and programming where those whose lives are most influenced by these processes have the least say in policy making and implementation.” Participation of citizens in local decision-making is an important advantage claimed by decentralists. Participation signifies that people have the legitimate right to voice their concerns in affairs which affect their lives. If and when the socially marginalised; the poor, the young, women, ethnic minorities, etc. can participate in designing and implementing public policies, the socially weak can reflect critically on their current situation, which may lead to possible solutions. This process is itself empowering to the marginalised and the consultative processes

provide opportunities to overcome social isolation and exclusion (Crook and Manor, 1998 in Herman Touo, 2014).

Finally, decentralisation and participation not necessary together and not necessary in this order are mentioned as a means of attenuating conflicts. Cohen and Peterson in Herman Touo, 2014 mention Huntington’s famous book, *The Clash of Civilizations*, in suggesting that in the new world (dis)order, in which religious and ethnic conflicts are on the rise, decentralisation should be seriously considered: “clearly, the message emerging from events in countries as diverse as Chad, the former Yugoslavia, Rwanda, Burundi, Indonesia, Sudan, Sri Lanka, Somalia, and Iraq is that their governments need to consider decentralisation strategies that might assist in holding together fragmented groups within their borders”.

2.4. Forms of Decentralisation

This section basically focuses on the basic well known forms/types of decentralisation and tries to collaborate with the previous and future discussions in this study. The author also examined all these forms and developed a new concept/form of decentralisation to close the gap identified in the previous ones.

Carney and Farrington in Buba A. S. Joof (2001) defined decentralisation as a “process of shifting the focus of power from the centre towards the periphery. Decentralisation does not, however, imply that all powers come to reside at the periphery. One of the major challenges of decentralisation is getting the balance between the centre and the periphery in addition to the responsibility of coordination between the decentralised units and the setting of broad policy guidelines and goals.” The authors identified three different forms of decentralisation as follows:

Devolution is referred to as decentralisation within the law-making, legislative branch. It involves the creation of elected bodies at a lower level. Its success will depend on how far the state has ceded some control over resources from the centre to the elected bodies.

Deconcentration “refers to decentralisation within the appointed bureaucracy or executive. It involves a shift of operational power away from the central ministry to sub-units outside the capital. It may correspond with a redefinition of the scope of a central ministry. However, such a change alone could not in itself be enough for deconcentration to occur.” It should be noted that some proponents of decentralisation holds the view that deconcentration is different from decentralisation as discuss earlier. However, the author of this study holds the view that deconcentration can be treated as another form of decentralisation which can facilitate the process of devolution of powers from the centre to local units.

Deregulation is similar to liberalisation. Both terms are rather general, implying a loosening of government control coupled with increased competition. Like privatisation, deregulation can imply a need for greater formal regulation of newly competitive markets i.e. while new players would be welcomed in, their activities, pricing strategies and general customer relations may be subjected to significant governmental or quasi-governmental interventions.

However, Thorlind in Buba A. S. Joof, (2001) on the other hand identified four common distinctions of decentralisations. He indicated that *deconcentration* is a mere reshuffle of state machinery in centralised states, while *devolutions* has been taken to imply fiscal decentralisation, where the power to raise some of the taxes and the responsibility of planning and implementation of development interventions is handed over to the locally elected. *Delegation* has been explained to mean the decentralisation of some of the powers to lower levels of government. *Privatisation* as part of decentralisation connotes the handing over of increasing responsibility to NGOs, voluntary organisations and community groups to plan and implement development schemes and provide social services.

The proponents of the different forms of decentralisation mentioned earlier fails to address another form/type which can evolve in a situation where by the government is approaching decentralisation in different ways and this form of decentralisation we can call it *Triangulation*. As a form of decentralisation triangulation simply refers to as the implementation of more than one approach/form of decentralisation in a particular country.

In *triangulation*, the government tries to transfer some of its powers, authority, responsibilities and resources to the local government units but at the same time it take in charge of appointing some senior local council bureaucrats, ensuring the local structures directly answerable to the centre, embarking on public-private partnership at the central level on behalf of the local councils, servicing as the approving and authorisation body for expenditures and financial borrowings of the local councils, and having stronger influence on the decision-making process of the local units in the decentralisation process.

2.5. Decentralisation and Good Governance

Decentralisation is sometimes regarded as an alternative and not a counterpart to centralisation and when viewed from the policy angle, decentralisation is a complement and not a substitute to centralisation. Both local and central elements of government are needed in every political system. Sometimes decentralisation is considered as falling entirely within public sector reform, yet it is much more than public sector, civil service, or administrative reform. It involves the interdependence and relationship of all societal actors, whether governmental, private sector, citizens or civil society in the development process.

The concept of “governance” has been applied to the processes through which public decisions are made (Ronald & Henry, 2000). Landell-Mills & Serageldin (1991) have defined governance as the use of political authority and exercise of control over a society and the management of resources for social and economic development. This definition emphasises the political nature and the management aspect of governance. However, it does not define the nature of the relationship between the authorities (the governors) and the public (the governed) which is central in the principle of governance particularly good governances. On the other hand Charlick, (1992) looked at governance as the effective management of public affairs through the generation of a regime (set of rules) accepted as legitimate, for the purpose of promoting and enhancing societal values sought by individuals and groups.

“Effectiveness of Decentralisation in The Gambia”

According to the World Bank, (1989), stated that other institutions like the Organisation for Economic Cooperation and Development (OECD) and the United Kingdom’s Overseas Development Agency in buying the idea of governance as “the action or manner of governance”, went further to link governance with participatory development, human rights and democratisation. With this, governance is conceptualised and focuses on issues such as ‘legitimacy of government (degree of “democratisation”’, accountability of political and official elements of government (media, freedom, transparency of decision-making, accountability mechanisms) competence of governments to formulate policies and deliver services, respect for human rights and rule of law (individual and group rights and security, framework for economic and social activity, participation).

This study also put emphasis on three distinctive aspects of governance: political regime structure; process of exercising authority in the management of the resources of the nation, economic and social resources; and the capacity of the government to design, formulate and implement policies as well as discharge or execute functions within the context of a decentralised structures to ensure citizen participation, delivery of quality services to the population, and accountability and transparency within all the actors involved in the decentralisation process.

According to Kofi Annan, (1999), "In practice good governance involves promoting the rule of law, tolerance of minority and opposition groups, transparent political processes, an independent judiciary, an impartial police force, a military that is strictly subject to civilian control, A free press and vibrant civil society institutions as well as meaningful elections. Above all, good governance means respect for human rights." This study emphasis for decentralisation to be very effective, there must good local governance systems, sound decentralisation programmes and citizen participation at local units.

The fundamental principles of good governance include respect for the rule of law and human rights, political openness, participation and inclusiveness, equality and non-discrimination, effective and efficient processes and institutions, transparency, and accountability. According to Ronald & Henry (2000), “decentralisation offers a key element of the enabling environment for good governance through which responsibilities are transferred from the central government to

the local level, where citizens can more readily participate in decisions that affect them.” Decentralisation offers partnerships between local government institutions, civil society organisations and the private sector for attainment of good governance and this is very crucial for a public-private sector partnership within the level of local government authorities for development.

2.6. Decentralisation and Developmental Issues

Under this section we will look at how decentralisation can contribute positively in addressing some of the development concerns of the local communities which if taken seriously can be address by Local Governments and other key actors in the decentralisation process as mentioned below.

2.6.1. Dimension/Essential Elements to determine an Effectiveness of Decentralisation

As stated in Chapter One, the three important elements to measure the effectiveness of decentralisation in this study and also essential in achieving the development needs and aspirations of the citizenry within the context of decentralisation are (a) *political decentralisation*, according to the World Bank Decentralisation Thematic Team political decentralisation aims to give citizens or their elected representatives more power in public decision-making. It is often associated with pluralistic politics and representative government, but it can also support democratisation by giving citizens, or their representatives, more influence in the formulation and implementation of policies.

Advocates of political decentralisation assume that decisions made with greater participation will be better informed and more relevant to diverse interests in society than those made only by national political authorities. The concept implies that the selection of representatives from local electoral jurisdictions allows citizens to know better their political representatives and allows elected officials to know better the needs and desires of their constituents. Political decentralisation often requires constitutional or statutory reforms, the development of pluralistic

political parties, the strengthening of legislatures, creation of local political units, and the encouragement of effective public interest groups (ibid).

Therefore, in this study political decentralisation can be more certified where there is a clear political leadership, accountability and transparency in carrying out the decentralised process and adequate time given to the decentralised institutions/structures to develop both the organisational and human resources capacity to handle the continuous transfer and use of power. In this regard, political decentralisation can also refer to giving the citizens or their local elected representatives (Local Councils) more power in public decision-making to address the immediate needs and aspirations of the people in the utmost accountable and transparent manner.

(b) *Administrative decentralisation* seeks to redistribute authority, responsibility and financial resources for providing public services among different levels of government. It is the transfer of responsibility for the planning, financing and management of *certain* public functions from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-autonomous public authorities or corporations, or area-wide, regional or functional authorities (ibid). Moreover, in this study administrative decentralisation means the central governments creating and maintaining the "enabling conditions" that allow both local government units of administration, non-governmental organisations, citizens and civil society groups to be given sufficient authorities, responsibilities and resources in the decentralisation process.

(c) *Fiscal decentralisation* argues that financial responsibility is a core component of decentralisation. If local governments and private organisations are to carry out decentralised functions effectively, they must have an adequate level of revenues either raised locally or transferred from the central government as well as the authority to make decisions about expenditures. . . . In many developing countries local governments or administrative units possess the legal authority to impose taxes, but the tax base is so weak and the dependence on central government subsidies so ingrained that no attempt is made to exercise that authority (World Bank Decentralisation Thematic Team). In this study fiscal decentralisation means the availability of adequate level of revenues to the Local Councils for implementing the

development needs of the communities which can either be raised at local level or transferred from the central government as well as the authority to make decisions and be held accountable on its expenditures and financial borrowing. In addition *Power, Actors and Accountability* as the intervening variables in this study are also used to evaluate how effective is decentralisation in The Gambia and thus discussing them below is crucial.

There are a number of frameworks that have been used for the analysis of African decentralisation. The “actors, powers and accountability” framework of Agrawal and Ribot, (1999) is used here. In this framework the local *actors*, the *powers* they hold, and the *accountability* relations in which they are embedded, are the basic elements for analysing the kind of decentralisation taking place. Democratic decentralisation, for example, involves representative local actors who are entrusted with real public powers and who are downwardly accountable to the local population as a whole. These are also the elements that circumscribe the domain of local autonomy that constitutes decentralisation. If there are representative actors who have no public powers, then the institutional arrangement is not decentralisation. If there are powers, but the actors receiving them are not representative or downwardly accountable, then perhaps it is privatisation or deconcentration (Jesse C. Ribot, 2002).

Actors are who represents the local people and who receives powers in decentralisation? *Various actors*, including elected bodies, customary authorities, administrative appointees, local representatives of technical services and ministers, community groups, “development” committees and NGOs, are receiving powers in rural Africa in the name of decentralisation (Ribot 1999; Therkildsen 1993; Conyers 1990). The kinds of actors who are empowered in decentralisation process of any country shape the outcomes that can be expected from the process. In the decentralisation process, different actors are embedded in different kinds and levels of accountability relations and these relations shape the ways in which they exercise their powers in most transparent manner. Prud’homme (2001) argues that the rules governing the formation and functioning of local government are integral to decentralisation. Processes for choosing or producing upwardly accountable authorities are oriented toward a different kind of outcome than processes that select downwardly accountable ones. “Understanding the implications of decentralisation requires a detailed understanding of the actors being created,

supported and empowered in the local political-administrative landscape and their relation to both the central state and the local population” (Olowu 2001).

For example “Elected” local bodies are constructed in a number of ways. To understand their likely responsiveness to local needs, it is important to understand the processes of selection (party involvement, rules of candidature and forms of suffrage), term lengths, forms of recall, their discretionary powers, and the forms of administrative oversight they are subject to (Jesse C. Ribot, 2002). Traditional political authorities have often been viewed as the extended arm of the state in the locality, and usually regarded as inefficient, corrupt, undemocratic and excluding of women (Therkildsen Ole, 1993). NGOs as local authorities in decentralisation, history provides us with many examples of non-democratic social organisations that accomplish collective as well as particularistic goals, although with many more that achieve the latter at the expense of the former. NGOs can play a significant, positive role in decentralisation by making people aware of their rights as voters and by monitoring elections (Smoke 1999).

Power; without increased local autonomy, increased local representation has little meaning (Therkildsen Ole, 1993). The most contentious design issue in political decentralisation has always been the problem of *power-sharing* between the centre and the localities (Walter O. Oyugi, 2000). To maintain and build the legitimacy of local institutions, they must control resources and powers that are consequential to the community (Jesse C. Ribot, 2002). Their effectiveness and legitimacy will depend on being able to make and execute meaningful decisions. They must therefore have a domain of discretionary decision-making powers, that is, one of local autonomy. It is with respect to this domain of powers that decentralised actors represent, are accountable to, and serve the local population. Local actors without discretionary powers cannot achieve the benefits that community-based and decentralised approaches promise. Powers are an essential element in establishing local democratic institutions (ibid).

Four broad powers of decision-making at play in decentralisation are to (i) *create or modify rules*; (ii) *decide* how a particular resource or opportunity is to be used; (iii) *implement and ensure compliance* with new or modified rules; and (iv) *adjudicate disputes* that arise in the effort to create rules and ensure compliance (Agrawal and Ribot 1999). These four types of

powers correspond to three, more familiar, categories; legislative (creating rules), executive (making, implementing and enforcing decisions), and judicial (adjudicating disputes). Decentralisation can involve any mix of such powers. While these are not discussed in and of themselves, keeping them in mind helps to identify the range of powers that can be considered for transfer (Jesse C. Ribot, 2002).

Conyers (1990) suggests that the types of activities that are transferred are a critical dimension of decentralisation. She distinguishes between service and productive activities and between routine services and development activities. She makes the point that control over development planning in the local arena requires the appropriate mix of activities if planning is to be effective, as effectiveness is partly a function of the ability of empowered authorities to coordinate among local public service and development activities. Effective local planning and implementation depend on the mix of powers devolved. “This is where the interrelationship between planning and implementation...becomes so important, because decentralisation is only really effective if it includes decentralisation of the power to make decisions, allocate the resources needed to implement these decisions and actually execute them”.

Within the context of this study management which is key decentralisation refers to as a process of planning, leading, organising and controlling people within a group in order to achieve the set goals and targets in an organised manner. It is also the supervision and control of various actions required to execute a developmental programme for the benefit of the citizenry and in addition especially the poor and the most vulnerable groups.

Accountability: Rulers claim to be responsible to their people; people try to hold them to account. Accountability is thus the measure of responsibility (Lonsdale John, 1986). Some analysts might argue that certain benefits of decentralisation could be realised through participatory mechanisms that fall short of local elections. Others might suggest that local elections do not automatically lead to greater autonomy or better local government performance, and that some means beyond elections for consulting constituents and improving their ability to hold local officials accountable must be developed. The challenge is to find an appropriate set of governance mechanisms (Paul Smoke, 1999). The essence of accountability is answerability;

being accountable means having the obligation to answer questions regarding decisions and/or actions (Brinkerhoff Derick, 2001). Citizens can only legitimately authorise representatives and hold them accountable if there are many avenues and institutions through which they engage with both each other and their representatives (Young Iris Marion, 2000).

Brinkerhoff (2001) develops a typology for analysing accountability in which he subdivides accountability as “answerability” and “enforcement”. Answerability refers to the obligation to provide information and explanations concerning decisions and actions. Enforcement is the ability to oversee actors and apply sanctions when they give unsatisfactory answers. He distinguishes between accountability that takes place within and outside the state. Actors within are enabled to apply sanctions to other institutions or agents within the state. This “horizontal accountability” is the essence of the separation of powers that defines a democratic system. The ability to apply sanctions from outside the state, or “vertical accountability”, involves an array of means by which the public can sanction state actors.

The most commonly cited means of holding the state accountable to the public the aspect of vertical accountability that can be call “downward accountability” are electoral processes. As Crook and Sverrisson (2001) observe in their study of decentralisation’s effects on poverty reduction, “fair and competitive elections were a key factor in developing public accountability in the most successful cases”. There is wide agreement that “accountability of local governance institutions constitutes a major problem of democratic programmes” (Olowu 2001). In most cases Governments in Africa generally create local institutions/governments that are upwardly accountable to the central state. For example, many local governments are constituted only of actors effectively appointed by central government and this affects the downward accountability system.

In addition to the election process, such public servants may be held accountable via multiple mechanisms, including; legal recourse, separation of powers, polycentricity, balance of powers, third-party monitoring, lobbying, free media, transparency, information provision, public discussions, public reporting, participatory processes, social movements, civic education, discretionary powers for governments, proximity, embeddedness, ideologies, reputation, trust,

administrative dependence on local government, taxation, central government oversight, public service performance awards, and performance based contracts. These are mechanisms that could work to increase downward accountability and reduce some forms of elite capture (ibid).

Crook and Sverrisson (2001), report poor local government performance as being partly due to local government not being able to make higher officials and appointees accountable to them. In addition to the mentioned mechanisms that make local governments accountable to local populations, Onyach-Olaa and Porter (2000), argue that local government’s downward accountability is contingent on central government being accountable to local government for delivering timely and accurate policy guidance, monitoring, mentoring, compliance verification and so forth. Equally, the World Bank (2000), Crook and Manor (1998) and Parker (1995) in Jesse C. Ribot (2002) argue that locally elected representatives under electoral rules that encourage participation and representation can make central government more responsive to local needs.

Some important limits on thinking about accountability are outlined by Therkildsen (2001). He points out that the ideal of accountability mentioned by Blair (2000) in which administrators are accountable to elected officials who are in turn accountable to the public through elections does not hold up even in consolidated democracies. In practice, he argues, bureaucracies are highly complex that are neither tightly rule-bound nor controlled. Bureaucrats do not always loyally implement the decisions made by politicians, and it is often impossible to separate the making from implementation of policy. Furthermore, Therkildsen (2001) points out that it is difficult to expect government to be accountable to citizens when finances come from outside donors. Donors require governments to account to them, weakening other lines of accountability of public officials. As Moore (1997) also argues that, states are not likely to be accountable to a population from whom they do not earn their income through taxation. Crook and Sverrisson (2001) pointed out that for serving the poor, “the most successful cases were the ones where central government not only had an ideological commitment to pro-poor policies, but was prepared to engage actively with local politics..., to challenge local elite resistance if necessary and to ensure implementation of policies”.

2.6.2. Decentralisation versus Rural-Urban Migration

According to Machel McCatty (2004), Policy makers must realise that rural-urban migration is an inevitable consequence of both asymmetric policies and economic development favouring urban areas. Migration should be seen as an equilibrating response to disequilibrium existing in the economy, and it is the responsibility of governments to reduce this disequilibrium. As long as there are gaps in rural-urban employment opportunities caused by urban bias, there will be migration. A widely held view is that urban populations are too concentrated in a few large cities, and that by implementing policies aimed at restricting urban growth, there may be reductions in social welfare. An alternate argument however, suggests that it is better to go the root of the problem to determine why people are migrating, and then implement policies to effectively deal with these problems.

Rural migration is a major contributor to the problem of high unemployment in urban areas. Since wage differentials caused by urban bias encourage people to migrate to urban areas, it would be in the best interest of countries facing issues of rural-urban migration to reduce urban bias. Rural development policies aimed at creating more employment and income in rural areas should therefore receive greater emphasis. Of course, the situation varies depending on the country in question. Agricultural development can be a positive factor in a country that is heavily dependent on inputs from rural areas. However, one has to be careful because some crops are more capital intensive than others, and utilisation of high technology methods of production may encourage migration all over again (ibid).

In developing countries it is very important to promote secondary cities and market towns. Many countries have huge primary cities because of urban bias. It is important to promote secondary cities in order to encourage agricultural and other rural development and slow the growth of the main city. Rural areas close to secondary cities have easy access to storage facilities thus reducing the distance to the market, and the levels of post-harvest losses. Also if the nearest market is a considerable distance away, farmers will receive low prices for their crop, because middlemen would have to be compensated for higher transportation costs. From the point of view of urbanisation, secondary cities have the potential to provide attractive alternative

destinations for city bound rural migrants. They not only serve as market intermediaries, but also create employment. This would create less strain on the primary cities, and help to alleviate urban poverty (ibid).

Furthermore, Machel McCatty pointed out that “decentralisation of government responsibilities gives decision-making power to the local residents, who have greater understanding of their issues and so are expected to make more appropriate decisions. However, to be truly effective, both taxing and spending authority should be given to local governments. While the right policy will greatly assist in reducing rural-urban migration, it is recognised that the process cannot be stopped altogether. Every policy has its advantages and disadvantages, and governments have to be realistic when making rural development policies. A specific case of a country successfully implementing rural development policies is Thailand. With the help of the UNDP, the government of Thailand has implemented several policies aimed at alleviating poverty in rural areas, with particular focus on strengthening the capacity of government, communities and other entities to provide economically and environmentally sustainable livelihoods and employment opportunities for the rural poor”.

2.6.3. Decentralisation and Economic Growth

Little research is available on the links between decentralisation and economic development or economic growth. As with the sections above and below, there is a particular lack of empirical analysis in this area, with publications tending to rely on theoretical assumptions or anecdotal evidence. How does decentralisation impact on economic development? A likely reason for the lack of research in this area is the difficulty in linking decentralisation and economic development as so many other factors also play a role in economic growth (Zoë Scott, 2009). For example, service delivery directly impacts upon economic growth in multiple ways, by providing services to business premises, by educating people in business related activities, by ensuring the health of the workforce etc. As seen above, it is difficult enough to ascertain whether and how decentralisation has impacted service delivery, without also trying to then analyse how service delivery has impacted economic growth. There are many other factors, besides service provision which also indirectly impact on economic growth (ibid).

Matinez-Vazquez and Rider in Zoë Scott, (2009) demonstrate this in their analysis of fiscal decentralisation in China and India. They argue that “no consistent empirical patterns emerge from these studies (on the links between decentralisation and economic growth). Whether a direct relationship exists between the two therefore remains an unanswered question. However, there are a multiplicity of potential effects through which decentralisation could indirectly affect growth, such as the regional allocation of resources, macroeconomic stability, and corruption. There are indirect forces or effects at work that may link decentralisation to economic growth. For example, suppose that decentralisation leads to increased macroeconomic stability and reduces official corruption; then, such improvements in the economic environment may increase the rate of economic growth. However, these forces also may work in the opposite direction.”

In addition, Matinez-Vazquez and Rider’s study on China and India demonstrates the difficulty of explicitly linking decentralisation and economic growth. They conclude that decentralisation has not been carried out effectively in either country although they are both experiencing strong economic growth. However, they can only hypothesise that growth could have been even higher had decentralisation reforms been more effectively implemented. In the same way, we can see across the literature on decentralisation and economic development a marked difference between the theory of how decentralisation should benefit economic development and how it actually plays out in real contexts. Once again the potential of decentralisation is not always effectively realised (ibid).

According to Zoë Scott (2009), the literature on this subject generally asserts that decentralisation is good for economic development for the following theoretical reasons: decentralisation will increase public sector efficiency therefore improving service delivery and regulation. This will create a more conducive business environment and greater incentives for investors; Local officials will have better local knowledge and business contacts making them more able to make locally relevant, appropriate decisions; and decentralisation can reduce the opportunities for corruption, particularly large scale corruption. This has a beneficial effect on national economic growth. Local governments only have a limited number of tools available to

encourage business development and economic growth. Table 2.1 sets out these tools in more detail and identify their limitations.

Table 2.1: Operational tools and instruments available to local governments to promote economic growth

Operational tools and instruments available to local governments to promote economic growth¹	
Instrument	Limitations and experience
Ensure proper provision of basic infrastructure and services including roads, electricity, water, waste services.	This is the way in which local government can most contribute to local economic development. However, it is not an easy task and requires adequate resources and political commitment.
Simplifying regulatory processes such as planning and licensing and making these processes more efficient.	In the context of deep-rooted political patronage, this is a difficult task as rent seeking activities may be entrenched.
Direct investment in business ventures	Local governments rarely have the powers and resources to do this. Officials generally do not have the skills or experience to make good investment decisions or manage businesses successfully.
Tax breaks to attract investors	Local taxes are rarely significant enough to make a difference to investment decisions. Tax breaks also ultimately undermine local governments' revenue base, create divisions between businesses and encourage relocation of business within the country.
Establishment of enterprise or export processing zones which are free from all taxes and enjoy reduced regulation.	This undermines the revenue base and requires significant partnership with central government. Ultimately it may simply result in the relocation of businesses from elsewhere in the country, thereby undermining the national

¹ Material included in this table is largely taken from Devas 2005 in Zoë Scott (2009).

2.6.4. Decentralisation and Provision of Social Amenities/Service Delivery

Robinson in Zoë Scott (2009) summarises the views of many researchers when he states that “Many claims are made in favour of decentralisation, ranging from the democratising potential of increased scope for participation and accountability through to poverty reduction and improved service delivery. Much of the literature and evidence centres on the intrinsic value of decentralisation as a desirable goal in its own right. But the arguments for the developmental significance of decentralisation rest principally on a series of assumptions and theoretical justifications”.

Zoë Scott (2009) added that the assumptions, or theoretical arguments, for how decentralisation can improve the efficiency and equity of basic services, are summarised as follows: locally elected governments will be more responsive to their citizens’ preferences when designing service provision and allocating resources; citizens will have a better system for articulating their needs and wants and will be able to hold officials to account over breaches in service; extra finances will also be available to local government via local taxes; central government will be willing to devolve full power and responsibility for services to local government; central government will ensure that local governments have adequate financial resources to ensure excellent service provision; and local administrative capacity will be adequate to deliver improved services;

Unfortunately, these assumptions do not appear to hold true in the majority of cases. The general consensus amongst the empirical research on the impacts of decentralisation on service delivery is that “there are very few cases where equity or efficiency outcomes have improved as a result of decentralisation.... In most cases reported from Africa, Asia, and Latin America the quality of public services has either declined or remained unchanged as a consequence of democratic decentralisation (Robinson in Zoë Scott, 2009).” Government is all about protecting both the strong and the weak. Governance should be for the benefit of the maximum number of people. All are citizens regardless of where they live. The government should not be a government of only the rich and those in the major cities. Good roads, health centres and electricity should be

provided in the rural areas to discourage people from moving to the urban centres (Festus Bidoye, 2009).

The advantage is two-fold if the government can do that. One, it would reduce the un-bearingly pressure on government to provide social amenities for the urban centres where many people continue to throng on daily basis. Secondly and more importantly, the people will be productively engaged while providing food for the teeming masses of the state. It is popularly said that life is easier and enjoyable in the rural areas when compared to the strenuous urban centres, but for the lack of amenities especially pipe-borne water and medical facilities, which can help reduce diseases associated with non-availability of treated water in the rural areas (ibid). The major argument of the above statements can be attributed to the importance of decentralisation by empowering the Local Government Structures to deliver relevant and quality services.

2.7. Institutionalisation of Decentralisation

According to Schneider in Michael Kiwanuka (2012), decentralisation and good governance thrives on institutional arrangements and implementation, so it is essential to avoid inefficiencies in the institutional arrangements. It must be part of an integrated development policy reflecting locally owned models and the country's commitment. “At a minimum, most developing countries have a central agency with local government oversight responsibilities, such as a Ministry of Local Government, a Ministry of Home Affairs, and a Ministry of the Interior” (Devas in Michael Kiwanuka, 2012).

According to Siato in Michael Kiwanuka (2012), even in countries where local government councils are at least partially elected, they may not possess genuine political or bureaucratic independence, and they may be dominated by clientelistic local elites, in which case, local accountability means little if the centre can override the results of local democratic processes, which is frequently the case in African countries. Even at local levels, according to Ronald & Henry (2000), participatory approaches often meet considerable resistance in most developing countries. Furthermore, Institutional decentralisation refers to the administrative bodies, systems,

and mechanisms, both sub-national and intergovernmental, which help to manage and support decentralisation. It includes mechanisms that link formal government bodies to other key local actors-traditional, local decision-making structures (where they exist), non-governmental organisations, private sector partners (Olaa, Martin 2003).

If this is the basic systems of institutional foundation on which decentralisation is built, the Local of Government Act (2002) of The Gambia stated that a local government system exists because it is created by an Act of the National Assembly. The Local Government Act (2002), subsection (2) of Section 193 mandates: “to establish and regulate a decentralised Local Government system for The Gambia; to make provision for the functions, powers and duties of Local authorities and for matters connected therewith.” Interaction among government levels must be structured to balance national imperatives with local priorities, creating incentives for appropriate behaviour and good performance by relevant actors at all levels (Devas, 2004). In addition, The Local Government Act (2002) of The Gambia stated that each Council shall be a body corporate by the name “Area Council”, “Municipal Council” or “City Council” as may be appropriate, preceded by the name of the Local Government Area for which the Council is established section 10 (2).

Decentralised reflects not only a structural process, identifying and empowering sub-national structures, but also a political and administrative process, involving people in determining their own destiny through self-governance and self-administration, while addressing problems and issues at a subsidiary level. It is equally a supportive and complementary process sharing and supporting national governance at sub-national level (Gerhard K.H. Töttemeyer 2000). The 1997 constitution of The Gambia provides that Local government administration in The Gambia shall be based on a system of democratically elected councils with a high degree of local autonomy. It also calls for decentralisation and devolution of government functions and powers to the people at appropriate levels to facilitate democratic governance.

2.8. Functions of Decentralisation/Local Governance

It is commonly known that Councils/Local Governments can attain their target goals and fulfil their functions in various forms to uplift the standard of living of their people: *Planning &*

monitoring: local governments set the overall direction for their municipalities through long-term planning. Examples include council plans, financial plans, municipal strategic statements and other strategic plans. Setting the vision, and then ensuring that it is achieved, is one of the most important roles of local government; *Service delivery*: local government is responsible for managing and delivering a range of quality services to their communities, such as public health and recreational facilities, local road maintenance, and public libraries; and *Law-making & enforcement*: local governments legislate and make decisions in areas over which they have legislative authority. Local laws are not allowed to replicate or be inconsistent with state and federal laws or the operative planning scheme. The laws made by local governments are called local laws and cover issues such as the activities permitted on public land, animal management, and use of infrastructure. Local governments are also responsible for enforcing local laws and other legislation over which they have authority (Gerhard K.H. Töttemeyer 2000).

Councils also perform *Policy development*: the activities of local governments are guided by policies. Developing and implementing these policies are key functions; *Representation*: councils often represent their local community on matters of concern to those constituents; and *Advocacy*: local governments have a role in advocating on behalf of their constituencies to state and federal levels of government, statutory authorities and other sectors. In addition a number of factors determine the success of decentralisation, among them well-trained administrators, an adequate infra-structure at sub-national level, sufficient financial means and resources, proper coordination of decentralisation at national level, a political will and moral commitment among all the stakeholders in the decentralisation process (ibid).

2.8.1 Functions of Local Councils in The Gambia

In The Gambia, Local Government is basically local self-government and the main functions of Local Government as stated under the following Sections of the Local Government Act (2002) Part IV - Powers and Functions of Local Government Institutions: General Powers; Section 48 (1) Subject to the provisions of this Act and any other enactment, a Council shall, within its area of jurisdiction (a) Exercise all political and executive powers and functions; (b) Provide services as it deems fit; (c) Promote on a sound basis community development and self-help; (d) Have

power to perform such functions as deemed necessary to facilitate, or are conducive or incidental to, the discharge of any of its function; (e) Protect the Constitution and other laws of The Gambia and promote democratic governance; and (f) Ensure implementation and compliance with Government policy. Furthermore, Section 48 (2) stated that Without prejudice to the generality of subsection (1) of this section or any other enactment which may confer powers and functions on Councils, a Council shall, in addition to the powers and functions specified in this Part, perform and carry out the functions and services specified under Part II of Schedule II to this Act. Sub-section (3) also stated that A Council shall not, by virtue of this section, do anything which requires the approval of anybody or person by this Act or any other enactment unless the approval is obtained in accordance with this Act or the enactment.

Also Section 49 (1) indicates that A Secretary of State² responsible for any other Department of State may, after consultation with the Secretary of State, devolve functions, services and powers vested in that Department of State to a Council, (2) A devolution under subsection (1) of this section shall not be effected unless - (a) The Government and the Council are in agreement; (b) Adequate human, financial and material resources are made available for the performance of the functions, provision of the services and the exercise of the power:'), so devolved; and (c) Appropriate measures are taken to bring the change to the attention of the public. Sub-section (3) added that the services and functions specified under Part I of Schedule II shall be exclusive to the Central Government.

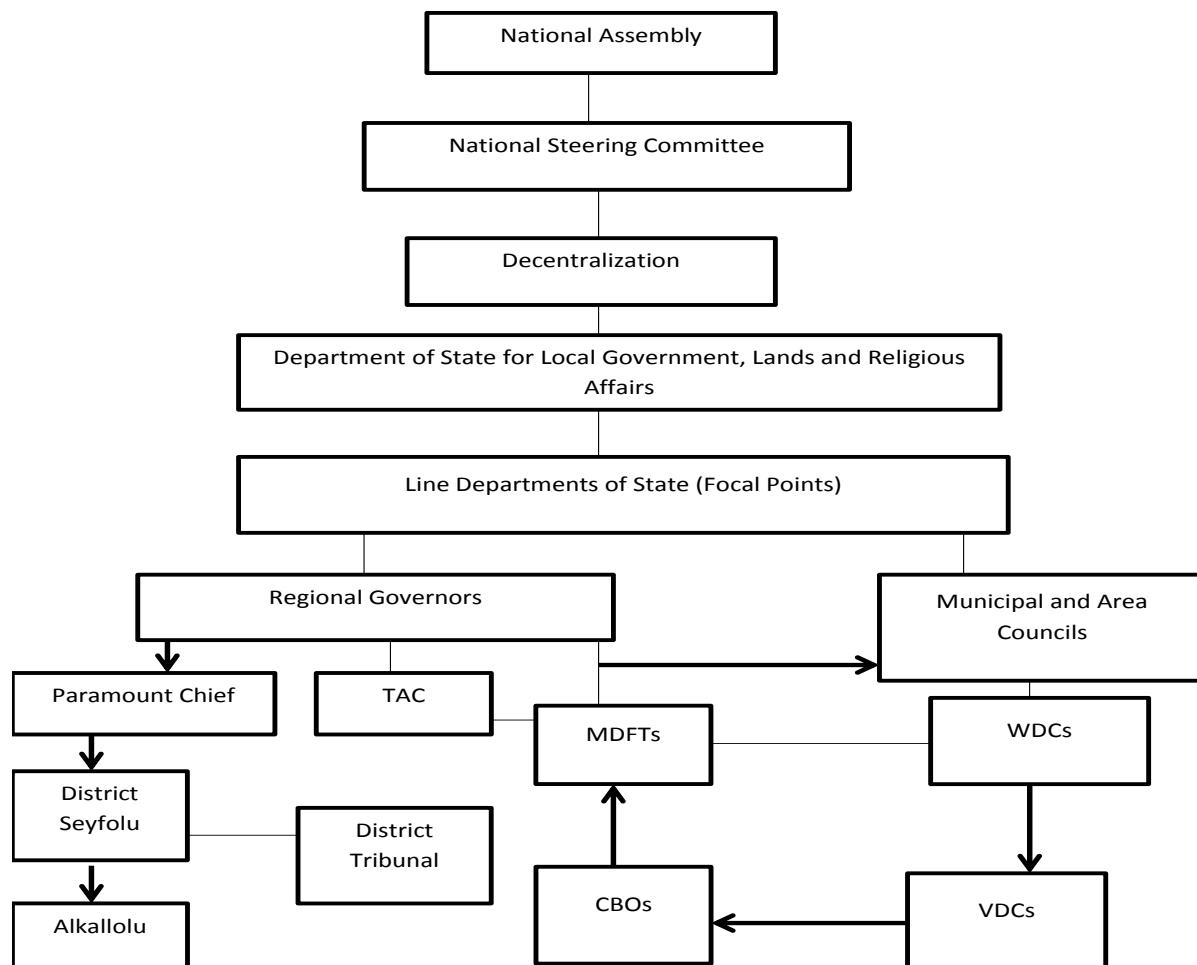
In addition, Section 50 also stated in sub-section (1) A Council may, where any provision is made for the devolution of any functions, services or powers under this Act at the discretion of a Secretary of State or any other authority, request that it be allowed to perform the functions, provide the services or exercise the powers, (2) Where a request made by a Council under subsection (1) is not granted within six months of the submission of the request to the Secretary of State or authority, the request may be made to the President, who shall, within three months of the receipt of the request, determine whether the request ought to be granted and (3) The decision of the President under subsection (2) of this section shall be final. Finally Section 51

² Secretary of State now means Minister

furthermore stated that the devolution of functions, services and powers from the Central Government to Councils shall be effected gradually and shall take into account the capacity of a Council to perform the functions, provide the services and exercise the powers.

2.9. Organisational Structure of the Decentralisation process in The Gambia³

Figure 2.1: Organisational Structure of the Decentralisation process in The Gambia



Source: Decentralisation in The Gambia, Workshop Report 2008

³ District Seyfolu means the District Chief who serves as the traditional ruler for a district and Alkallolu means a Head of the village

2.10. Conclusion

This Chapter has explored on key theoretical frameworks, the relevant national and international legal frameworks such as the Local Government Act 2002 and the Finance and Audit 2004 of The Gambia. The Chapter further indicates some International Charters on Decentralisation, Self-Government and Local development which are yet to be ratified by many countries especially in our African context. Europe has gone far by having a Charter on Decentralisation and Local Development. In addition, this Chapter has brought up some arguments on the important role an effective decentralisation process can play in reducing migration particularly rural-urban migration, boosting economic growth, ensuring quality service delivery and development in the communities. The next Chapter grapples with the methodology employed within the scope of the study, collection and analysis of the data elicited during the study.

CHAPTER THREE: METHODOLOGY

3.1. Introduction

This Chapter mainly focuses on the methodology used in this study. The research methodology looks at the research design, the study population and sampling and sampling techniques. Basically a purposive sampling is done as the main target of the author is those who are taking active part in the decentralisation process of The Gambia. Due to the fact that all the target respondents are elites, data collection and data collection instruments both primary and secondary data were collected through administering questionnaires, interview guide, observation and literature review to enrich the study. The data collection was also guided by key sample investigative questions which helped the author during the data collection not to lose track of the interest of the study. The Chapter also presented the main tools used in analysing the data and ended with a conclusion.

3.2. Research Methodology

Although the Cabinet of the First Republic of The Gambia did approve a policy paper on decentralisation in April 1993, it is the 1997 Constitution that laid down a sound foundation for the formulation of policy objectives and Action Plan on Decentralisation and Local Government Reforms in The Gambia. Therefore, the Scope of this study is limited to only the effectiveness of decentralisation process (political, administrative and fiscal decentralisation) in The Gambia from 2002 to date which was the period when the Local Government Act (2002) as the Principal Act and other laws and policies were also enacted to facilitate the decentralisation process.

The Research has covered all the Seven Regions/Municipalities of The Gambia which consist of Eight Municipal/Area Councils but the availability of the target population particularly some of the Senior Local Government Authorities and the lack of sufficient reference documents on earlier comprehensive studies in relation to decentralisation in The Gambia was the major challenge during the process of the data collection. Also lack of honest responses on some

questions by few target participants/respondents were observed during the data collection but the author was able to minimise errors during the data collection and analysis as a follow-up interview with the key target respondents and further literature review was conducted to verify the opinions in the questionnaires.

3.2.1. Research Design

The study involved eliciting data on the legal instruments, processes and challenges of decentralisation; power sharing, actors and accountability mechanisms on the decentralisation process; participation of the citizens and civil society in the decentralisation process; resources and service delivery of the Councils; and evaluating the effectiveness of decentralisation in The Gambia looking at political, administrative and fiscal decentralisation. The relationship between the provisions of quality services to the citizens, good local governance and sound decentralisation programmes are established with development in the local communities. Consequently, the research was designed to enable the author to achieve the objectives set out in this study and tests the hypotheses and other key variables.

Descriptive research is typically identifiable as having the following characteristics: researchers conducting descriptive research typically use a pre-established instrument to collect data; also, while survey responses can vary from *quantitative* (quantitative research is research in which numerical data is collected) to *qualitative* (qualitative research is research in which narrative or visual data is collected to describe social settings (Slavin, 2007)). In nature, they are typically quantitative and are summarised in accordance to quantitative analyses; finally, in order to complete descriptive research, researchers use a sample representative of a larger population to collect data in an attempt to generalise findings to a population (Lodico, 2006). These characteristics are followed and guided this study.

Furthermore, the descriptive survey method was adopted because this involves a systematic collection and presentation of data to give a clear picture of a particular situation, it can either be carried out in a small group or a large scale and its use makes it possible to gather sufficient data that can be used to describe and interpret what exists at a particular time. Since in the study, we

are interested in the conditions and practices that existed in the past, points of view popularly held in the past, processes that were going in the past, as well trends that have been developing up to this time (Lamek, 2005 in James A. Opare, Godwin R. K. Egbenya, Margaret Kaba & Joshua Baku, 2012), we had to adopt this research design in this study.

The descriptive survey design has two major shortcomings. First, unless pains are taken to clearly word questions, clarity cannot be guaranteed (Seifert & Hoffnung, 1994 in James, Godwin, Margaret & Joshua, 2012). Second, unless the respondents are people who can articulate their thoughts well and sometimes even put such thoughts in writing, the method becomes unreliable. As stated in the limitations of this study, the first shortcoming was addressed using feedback from the earlier study and literature on the subject matter, while the second was addressed by using the questionnaire and a follow-up interview to collect data exclusively from the well-educated samples actively taking part in the decentralisation process in The Gambia.

3.2.2. Study Population

The decentralisation process in The Gambia requires the involvement of different actors and those actors can play a very important role in providing the necessary data the author intends to gather from this study. Therefore the target population for the study was forty-five (45) respondents to be drawn from: Ministry of Lands and Regional Government, Office of the Governors, Office of the Mayors, Chairpersons of the Local Councils, Chief Executive Officers of the Local Councils, Finance Directors/Managers of the Local Councils, National Women's Bureau, The Gambia Association of Local Government Authorities, National Youth Council, Civil Society Organisations, Non-Governmental Organisations, Local Government Councillors, Department of Community Development, Technical Advisory Committees (TAC) in the Regions, National Council for Civic Education, Community Leaders, Multi-Disciplinary Facilitation Teams (MDFTs) and individuals based on their participation and experience on the decentralisation process in The Gambia. This study population is a sample representative of the whole country and stakeholders involved in the current decentralisation process in The Gambia.

3.2.3. Sampling and Sampling Techniques

It is obvious from the definition of the study population above that a national census targeting the whole population is not feasible in this study. Accordingly, the author adopted the survey type of research in which a sample from the target population was used for the study. Based on the topic of the study, a Non-probability Sampling known as Purposive Sampling was used to elicit data as the author's main target is to get reliable data from the target group or structures taking active part in the decentralisation process of The Gambia. In total, a sample size of thirty-eight (38) respondents were interviewed from the study population and while 5 other respondents are invalid cases as there was inconsistency in the respondents or they never return their questionnaires on time. Out of the total respondents of 38 only 5 were female while 5.3% are between the ages of 21-30, also another 5.3% are between the ages of 31-35 and 89.5% are all at the age of 36 and above. This can be attributed to the low participation of women and youths in contesting for councillorship and holding high profile positions at the local government level.

3.2.4. Data Collection

The main focus of the study was on attitudes and perceptions of the people and authorities on the concept of decentralisation and its implementation in The Gambia. Therefore the importance of primary data cannot be over emphasised in this research work. However, secondary data (books, journals, articles, policies, legislation, reports, working papers, and websites among others) were also collected to augment the studies. Before the actual data collection the author was given an Introductory Letter from the Pan African University to the sampled institutions particularly the Ministry of Lands and Regional Government responsible for the decentralisation programme in The Gambia. Also another permission letter was obtained from the same Ministry to facilitate data collection from its structures and partners/stakeholders in the decentralisation process. The said letters of permission facilitated the research process and helped the author to seek the informed consent of all the respondents interviewed in this study. The purpose of the study was spelt out in the introductory part of the questionnaire and in addition to which a consent form was developed which accompanied the self-administered questionnaire to further seek the informed consent of the respondents.

3.2.5. Data Collection Instruments

The data was collected by administering questionnaires, interview guide and observation. The questionnaire used structured questions and both open-ended and close-ended questions, consisting of mainly 46 questions divided into four parts/sections. Each part/section focuses on answering a research question and testing the hypotheses and other key variables. All the options/answers to the close-ended questions were coded and the codes were used during the data entry for analysis using Statistical Package for the Social Sciences (SPSS) software. Also each of the questions is given a name code and a label for the variables which are used during analysis. Furthermore, another tool used for data collection was the interview guide. A follow up Interview guide was used to verify some of the information provided by the respondents in the questionnaire in order to reduce unnecessary errors.

In addition, all the target respondents were found to be literate enough to independently respond to the questionnaire but some of them lack the time to answer the self-administered questionnaires distributed earlier, so data were collected from them through the face-to-face interview method.

3.2.6. Sample Investigative Questions

Table 3.2: Sample Investigative Questions for the Data Collection/Field Study

Section/ Part	Research Question	Key Investigative Questions
‘A’	How effective is the implementation of the legal instruments on decentralisation in The Gambia?	What are the existing legal framework and processes in the implementation of decentralisation in The Gambia? In the absence of good local governances and a sound decentralisation programme, will there be any meaningful development in The Gambia communities? And Why?

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		<p>Can decentralisation provide quality of services to the door step of the people? Why and By How?</p> <p>Can the current implementing processes of decentralisation in The Gambia bring development to the communities?</p> <p>What do you consider the most important and sustainable form/type of decentralisation?</p> <p>Is there any existence of a national decentralisation and local development policy in The Gambia? If Yes, Which period and major issues is it covering?</p> <p>What is your view on the effectiveness of decentralisation in The Gambia?</p>
‘B’	To what extend is the effectiveness of political decentralisation in The Gambia?	<p>In your opinion how often are the elections of local government officials?</p> <p>Does the universal adult suffrage elect its representatives including the Mayors/Chairpersons of the Municipal/Area Councils to the Local Councils?</p> <p>Is decision-making mostly done by the citizens and the Local Councils without</p>

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		<p>much interference by the Central Government?</p> <p>How many times has the Local Government Act 2002 been amended? And why?</p> <p>What is the level and nature of interaction between Central Government and Local Governments?</p>
‘C’	How effective is the administrative decentralisation in The Gambia?	<p>How effective is the legal-administrative framework in decentralisation/local governance in The Gambia?</p> <p>In your opinion how effective are the powers, authorities and resources redistributed from the centre to the Local Councils?</p> <p>How easy is it to acquire and retain technical human capacity in Local Councils?</p> <p>How effective is the involvement and participation of civil society in the decentralisation process?</p> <p>What are the contributions of the civil society organisations in the development process of the country particularly within the decentralization framework?</p>

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		<p>Do the CSOs and citizens participate as observers in Council meetings of the Local Councils? If No, Why? And what do you recommend?</p> <p>How are the youths and women represented in Local Councils? And in practice how is the process done?</p> <p>How do the communities participate in the decentralisation programme/process?</p> <p>Are the accountability mechanisms/systems put in place sufficient to hold the Local Councils more accountable and transparent to the citizens?</p>
‘D’	What is the level of effectiveness of fiscal decentralisation in The Gambia?	<p>What are the sources of revenue for the Local Councils?</p> <p>Are the available sources of revenue enough to carry out development projects by the Local Councils? And What do you think should be done?</p> <p>What is the level of financial contribution/subvention of the Central Government to the Local Councils?</p> <p>How much of finances are contributed</p>

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		from other partners to the Local Councils? What are the three major spending areas/sectors of the Area Council?
‘E’	What are the specific actions required to facilitate the successful implementation of the decentralisation concept in The Gambia?	What are the major challenges faced by The Gambia in its decentralisation process? What would you recommend in order to realise a very effective decentralisation in The Gambia?

Source: Author’s Field Work, September, 2015

Part of the structured questions was close-ended type and respondents were asked to mark the appropriate box/line matching the correct answer/opinion and were given opportunity to explain or give reasons to their chosen options. Other open-ended questions, however, required respondents to give opinions in detail. Hence various methods were adopted in the form of triangulation method in order to collect as much relevant data as possible so that the methods can complement each other and make the data comprehensive.

3.2.7. Data Analysis

The responses to the structured close-ended questions are rated in percentages and numbers. The percentage of respondents for each alternative is provided and critically analysed. The data collected was analysed using the computer softwares known as Statistical Package for the Social Sciences (SPSS) and Excel. The data was also analysed through comparison among the various operational documents on decentralisation in The Gambia and the actual organisational behaviour/practice in the implementation of those laws and policies and tying them to international/acceptable standards in realising effective and well-functioning decentralisation programme/processes.

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The data were in both qualitative and quantitative forms. Therefore, they were analysed using qualitative or quantitative methods where appropriate. Data in both qualitative and quantitative forms were analysed and presented using frequency and percentage distributions and the results presented in tables/graphs with interpretations and explanations. In addition qualitative data were analysed by grouping similar and most frequently occurring ideas or variables under the relevant themes. The main issues of the discussions were thus derived thematically.

The bar chart is used because most of the variables are qualitative. Using the Chi-Square Tests the author also tried to establish the correlations between effectiveness of decentralisation and effectiveness of political, administrative and fiscal decentralisation. Another relationship was also established between effectiveness of decentralisation and the absence of good local governance and sound decentralisation programme. Furthermore, the relationship between the non-universal adult suffrage elections of Area Council Chairpersons and effectiveness of decentralisation was established. In establishing a relationship between variables, the Null hypothesis checks there is no relationship between the variables in which we reject and while the alternative hypothesis checks there is a relationship between the variables in which we accept. Furthermore, if the P Value (Asymp. Significance (2 sided)) is less than 0.05 (5 per cent) it indicates that there is a relationship between tested variables and the relationship is significant and whereas the P Value (Asymp. Significance (2 sided)) is more than 0.05 (5 per cent) it means that there is no relationship between the tested variables.

Those who viewed effectiveness of decentralisation from the absence of good local governance and sound decentralisation programme, effectiveness of political, administrative and fiscal decentralisation are that the relationship is very strong and it shows that relationship between these variables is very significant. In addition, the non-universal adult suffrage elections of Area Council Chairpersons have a strong and significant relationship with the effectiveness of decentralisation. Furthermore, the chi-square tests indicates that the effectiveness of decentralisation have a significant relationship with the type/form of decentralisation existing in The Gambia. Meaning if the current form of decentralisation existing in The Gambia is not effective then decentralisation will be ineffective. Therefore, for decentralisation to be effective

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in The Gambia or any other country the type/form of decentralisation the country chose to follow must also be effective.

Table 3.3: Chi-Square Tests on the Correlation between some Key Variables in this study

Chi-Square Tests: Effectiveness of Decentralisation * Effectiveness of Administrative Decentralisation			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	19.575 ^a	6	.003
Likelihood Ratio	14.906	6	.021
N of Valid Cases	38		

a. 11 cells (91.7%) have expected count less than 5. The minimum expected count is .08.

Chi-Square Tests: Effectiveness of Decentralisation * Effectiveness of Political Decentralisation			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	18.314 ^a	9	.032
Likelihood Ratio	15.532	9	.077
N of Valid Cases	38		

a. 15 cells (93.8%) have expected count less than 5. The minimum expected count is .11.

Chi-Square Tests: Effectiveness of Decentralisation * Effectiveness of Fiscal Decentralisation			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	16.287 ^a	6	.012
Likelihood Ratio	14.523	6	.024
N of Valid Cases	38		

a. 10 cells (83.3%) have expected count less than 5. The minimum expected count is .03.

Chi-Square Tests: Effectiveness of Decentralisation * Absence of Good Local Governance and Sound Decentralisation Programme will there be any Meaningful Development in Local Communities			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	9.686 ^a	3	.021
Likelihood Ratio	6.737	3	.081
N of Valid Cases	38		

a. 6 cells (75.0%) have expected count less than 5. The minimum expected count is .11.

Source: Author's Field Work, September, 2015

Interestingly, the chi-square tests also show that the non-universal adult suffrage elections of Area Council Chairpersons have no strong linkage and relationship with the effectiveness of political decentralisation. This means that even if elections of Area Council Chairpersons are done by the universal adult suffrage it does not make a significant difference as to the performance of their duties and responsibilities. What is important is dedication to duty and work.

This dissertation was further shared with my Supervisor and independent outsiders to review and make comments on the dissertation before its finalisation.

3.3. Conclusion

This Chapter has dealt with the methodology employed in this study. The descriptive design/survey method was adopted because this involves a systematic collection and presentation of data to give a clear picture of a particular situation; it was carried out in a small group which results are generalized to a larger population as all the Local Councils are virtually faced with the same issues. The Chapter also shows that a purposive sampling is done as the main target respondents are literate and taking active part in the decentralisation process in The Gambia. In addition the collection of data was done using primary and secondary data through administering questionnaires, interview guide, observations and literature review. This Chapter also indicates that Excel, SPSS tools and comparison were used in analysing the data for interpretation.

CHAPTER FOUR: PRESENTATION AND DISCUSSION OF RESULTS

4.1. Introduction

This Chapter explores and examines the Legal Frameworks to facilitate the implementation of Decentralisation in The Gambia, Institutionalisation/Organisational Structures of Decentralisation and Implementation of the Decentralisation Instruments in The Gambia. It further examines the effectiveness of Political Decentralisation, Administrative Decentralisation and Fiscal Decentralisation. The Chapter also looks at the Human Resource Capacity of the Councils, Quality Service Delivery by the Local Councils and the Participation of other Actors in the Decentralisation Process. Due to the importance of accountability in decentralisation, Monitoring and Evaluation of the Local Government Authorities and Effectiveness of Decentralisation in The Gambia are also examined. This Chapter finally ended with a Conclusion.

4.2. The Legal Frameworks to facilitate the implementation of Decentralisation in The Gambia

The findings revealed that The Gambia has enacted a Local Government Act (2002), the Local Government Finance and Audit Act (2004), the Local Government Service Commission Regulations (2010), Local Government Staff Service Rules (2003), Local Government Scheme of Service (2010), Local Government Finance and Accounting Manual (2007), Programme for Accelerated Growth and Employment (2012-2015), the adoption of the National Policy on Decentralisation (2007) and the commissioning of a study on the Local Government Pension Scheme among others all contribute to the provision of the enabling policy and legal environment for spreading the decentralisation process country wide and the promotion of the direct involvement and participation of the population in deciding and the management of their own development needs, and the promotion of a spatially integrated approach to Local Economic Development (LED) in The Gambia. In addition the National Education Policy, National Health Policy, Agriculture and Natural Resource (ANR) Management Policy, Community Development

Policy, National Youth Policy, National Gender Policy and the Forestry Act and Policy among others all supported the decentralisation process.

This is in line with the argument that Decentralisation permits the administration to react rapidly to the local conditions or changes; it is a means of motivation, for creative persons usually want a considerable margin of manoeuvre (Mintzberg H. in Moye Godwin Bongyu, 2009). Dobiey, (1980 in Gerhard K.H. Töttemeyer 2000), also added that Decentralisation follows the principle of subsidiarity which implies that any public function that does not necessarily have to be handled by central authority can be decentralised and entrusted to governmental authorities at sub-national level.

To sound the opinion of the respondents on the availability of a National Decentralisation and Local Development Policy document in The Gambia, 28.9 per cent said YES there is a National Decentralisation and Local Development Policy in existence while 15.8 per cent said they are NOT SURE if there is one in place. To conclude on this issue key stakeholders are not aware that there is NO National Decentralisation and Local Development Policy document in The Gambia as per the time of data collection even though the process is almost at the level of finalisation.

Finally According to Olowu in Michael Kiwanuka, (2012), the present concept of decentralisation pursued by many African governments focuses on the promulgation and revised rules and responsibilities for administrative and political personnel, and on establishing the framework for some sort of local accountable political institutions. Many African states were centralised during colonial rule and local authorities were inspired by local government systems in operation in the time of the respective colonial masters (Ibid). The Gambia enacting the above laws and policies is seen to be inspired by the stated arguments, international agenda on citizen participation on the management of their own affairs and the concept of “Power to the People”.

4.3. Institutionalisation/Organisational Structures of Decentralisation

The findings were that The Gambia has put in place the following mechanisms and organs to steer the decentralisation process: Demarcation of Municipalities, Regions, Districts,

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Constituencies and Wards, Election of Mayors and Ward Councillors, Inclusion of nominated members from special interest groups into every Local Council, Establishment of Village Development Committees, Ward Development Committees, Office of Paramount Chief (National Council of Seyfolu promoting traditional rule), Technical Advisory Committees (TAC) in all the Regions, MDFTs, Local Government Service Commission in every Local Council, District Tribunals run by Chiefs, Municipal/Area Councils, Office of Governors and a Directorate for Local Governance in the Ministry of Lands and Regional Government. Also there are established Physical Planning Units in all the Local Government Authorities (LGAs) with a view to relinquish authority from the Central organ to the Local Councils pertaining to the designing, planning and development of their respective communities. In addition there exist The Gambia Association of Local Government Authorities (GALGA) and this body promotes the welfare of the Local Councils among others.

Decentralisation becomes necessary when the central power finds it increasingly difficult to fully and properly administer a country and respond efficiently to the aspirations of its peoples (Wallace Oates, 1972 in Herman Tuo, 2014). It is evident that the Central Government of The Gambia cannot address and meet the development needs of the populace and therefore there is a need for decentralisation which requires a stronger partnership.

These structures, if only strengthened and utilised can fully facilitate the realisation of the Vision of the Central Government (MoLRG) which is “To Be the Platform for Effective and Efficient Land Resources Management, Local Governance, Rural (Community) Development and Poverty Reduction.” In addition the structures can also facilitate the achievement of its Mission “... strengthen the existing development control policy and systems; ensure properly structured Local Government Authorities Administrative systems and effective Local Governance; ensure access to development resources by the people to facilitate socio-economic development for poverty reduction; and improve the capacities of groups/organisations at local levels to ensure sustainable development.”

4.4. Implementation of the Decentralisation Instruments in The Gambia

To first understand the implementation of decentralisation concept and instruments in The Gambia, the author tries to consult the opinions of the respondents on the different well known forms/types of decentralisation, 81.6 per cent of the respondents consider devolution as the most important and sustainable form/type of decentralisation. The arguments the respondents advanced for this position were: the main aim of decentralisation is devolution of power and authority from the centre to the people (grassroots), devolution will enable The Gambia to realise rapid socio-economic development as it can bring competition among Regions/Local Councils in making their areas developed as in the case of Senegal which has adopted devolution, and citizens become committed and participate in their own development when power is devolved to them. The respondents, however, stated that but there is no complete form of decentralisation as at any stage, both the periphery and the centre should coordinate and people (citizenry) should have the ability to take charge of their own development.

Figure 4.2:

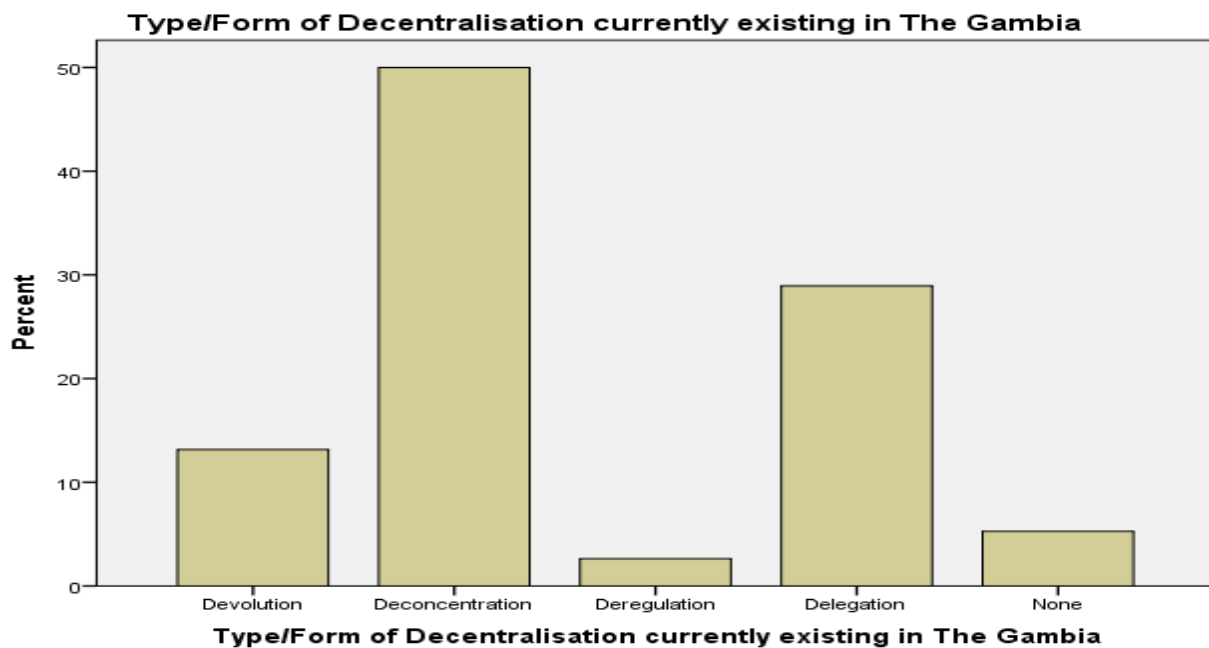


Source: Author's Field Work, September, 2015

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Based on Article 2 Letter I from the framework Law on decentralisation, (2006) in Irina BILOUSEAC, (2009), decentralisation in public administration are the bases for solving problems which are not done by officials appointed by the Center, but by those elected by the electoral body. More specifically, in the decentralised administrative system, the administration of the interests of local administration (municipal, town or county) is conducted by freely elected authorities from and by the mass of citizens of that community, which have, according to constitutional rules, their financial and autonomous decision-making powers. In the case of decentralisation, the state does not assume the burden of administration alone, but splits it in certain levels, with other categories of persons such as local communities. Decentralisation is the transfer of administrative and financial powers from the central government to the local government or private sector required to meet local interests. It is necessary to retain that decentralisation is a principle of organisation and management of the state based on broad autonomy of the local management of the administrative territorial units (ibid). This is the spirit of devolution of power, authority and resources from the centre to the periphery, in the absence of which we may call the process as deconcentration and not complete decentralisation.

Figure 4.3:



Source: Author's Field Work, September, 2015

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Based on the stated views on devolution, Fifty (50) per cent of the respondents viewed the form(s) of decentralisation that currently existing in The Gambia as Deconcentration while 13.2 per cent, 2.9 per cent, 28.9 per cent and 5.3 per cent said the form of decentralisation in The Gambia is Devolution, Deregulation, Delegation and None (mix form which we can refer to as triangulation in this work) respectively. In The Gambia key State/public institutions are having their offices/sub-stations in the regions to reduce pressure on the Central office but in all sectors for example Education, Agriculture, Health, Local Government, Youth, and Women among others the main decisions without or little consultation with the Local Councils are still being taken at Central level and passed on to the Regional Offices for implementation.

Deconcentration is the division of powers and administrative and financial responsibilities between different levels of central administration. Decentralisation law defines deconcentration as redistribution of administrative and financial powers of the ministries and other bodies of central public administration structures to their own specialty structures in the territory (Irina BILOUSEAC, 2009). What drives it closer to decentralisation is the fact that the local power holders have the power to solve local problems themselves without passing them forward to their hierarchic superior from the centre. The decisions are within the jurisdiction of local bodies which have decision-making power, but remain subject to centralisation (ibid).

Furthermore, One Hundred (100) Per cent of the respondents said it is true that the inadequate implementation of the Laws and Policies on Decentralisation in The Gambia has affected the realisation of both administrative and fiscal decentralisations which are key elements in measuring the effectiveness of decentralisation in a country. If the Central Government is not very much committed and ensure the full implementation of the laws, policies and programmes on decentralisation in order to realise the vision of the country then migration in all its forms and underdevelopment will continue to affect the country.

In addition, the PAGE 2012-2015 has indicated that Local Governments play a critical role in overall governance in The Gambia and are key players in economic development, growth and employment. By interacting with Local Government Authorities, the Government of The Gambia is able to provide valuable insights for policy development. Since the early 1980s, the

Government of The Gambia has been rethinking development approaches with a view to ensuring greater citizen participation in national socio-economic development activities. Therefore this can supports the relevance of implementing an effective decentralisation programme in The Gambia. It was also observed that if not all but most Local Councils have in place a five year strategic plan which covers among others issues on Health, Education, Agriculture and Community Development but requires technical and financial resources for its accomplishment.

4.5. Political Decentralisation

A total of 100 per cent of the respondents said the elections of local government officials is quite frequent with participation of independent candidates and mostly only two political parties out of over five registered political parties in the country. The main contradiction is that elections of the Mayors and Councillors should be held in every four years but also one year after the Parliamentary/National Assembly elections which can sometimes shift the term of office (four years per term as stated in Local Government Act 2002) of the Mayors and Councillors to five years in office which is beyond the term limit.

In addition “section 152 (1) of the Local Government Act, (2002) stated that The President may, with the approval of a simple majority of the votes of all the members of the National Assembly, assume the executive powers of any Local Government Area in any of the following circumstances - (a) Where the Council so requests and it is in the public interest to do so, (b) Where it has become extremely difficult or impossible for a Council to function; (2) The President may assume the executive powers of a Local Government Area where a state of emergency has been declared in that Area or any part thereof or in The Gambia generally; (3) The exercise by the President of the power conferred by this section may be done through such person or officer as the President may appoint and the legislative functions shall be exercised by Statutory Instruments.” This section of the Act shows the political-will and how important decentralisation is on the agenda of The Government of The Gambia which needs to be explored by the citizens in making decentralisation very effective in The Gambia.

Furthermore “section 152 (4) stated that unless approved by the National Assembly for a longer term, the exercise by the President of the power conferred by this section shall be for a period not exceeding ninety days; and (5) On expiry of the term under subsection (4) of this section - (a) the President shall hand back the administration of the Area to the incumbent Council, or (b) if the National Assembly decides that the prevailing circumstances still make it impossible for the incumbent Council to assume the administration of the Area (i) the independent Electoral Commission shall cause elections to be held for a new Council within sixty days Where the un-expired term of the Council is longer than twelve months and or (ii) The President shall continue to administer the Area until the next elections are to be held where the un-expired term of the Council is twelve months or less.” The concern raised in relation to this section is about the assurance of a proper handing over and how effective are the accountability issues address from the former Council to Interim Committee and then to the new in-coming Council within a period of about three months.

Also 81.6 per cent of the respondents believe that the lack of elections of Area Council Chairpersons by a universal adult suffrage has made them less accountable to the citizens. They argued that if the people are not responsible for electing their own Council Chairpersons then it will be very difficult to hold the Council Chairpersons accountable as Councillors are the minority. Therefore the Chairperson’s election by universal adult suffrage is more powerful and carries the voice of the people than the few Councillors in the Council. Certainly if the Area Council Chairpersons are directly elected by universal adult suffrage they will be more accountable to the electorates/citizenry but currently in reality and practice they owe allegiance to their fellow Councillors who elected them into power and this can lead to manipulation of Councillors in the persistent election of ineffective and inefficient Council Chairpersons at the detriment of addressing citizens’ welfare.

The other side is that Councils may not attract the right credible candidates for the position of Council Chairperson which can be due to several reasons best known to the well qualified and experienced individuals. However, in Parliamentary system of government, the Prime Minister is not elected by universal adult suffrage and this does not have any significant effect in the course

of executing her/his duties. What matters most is the commitment to duty and use of goodwill to address the needs of the people in an accountable and transparency environment.

According to Jesse C. Ribot, (2002), “Elected” local bodies are constructed in a number of ways. To understand their likely responsiveness to local needs, it is important to understand the processes of selection (party involvement, rules of candidature and forms of suffrage), term lengths, forms of recall, their discretionary powers, and the forms of administrative oversight they are subject to.

Furthermore, Thirty-two (32) of the respondents agreed that the Mayors and Area Council Chairpersons should be the Political Heads⁴ of the Municipalities/Regions and be more accountable to their citizens as they are elected by their citizens. However, it was also observed that there is misunderstanding and interpretation on the meaning of “Political Head” as many people think in line with political party leadership in the Municipality/Region. Furthermore it must be understood that each Administrative Region in The Gambia is equal to a Local Government Area as far as The Gambia public administration is concern.

The only Region that is not equal to a Local Government Area is Central River Region (CRR) because it has two Local Councils even though there are policy directives to make the Region into two different Regions with their own Local Council. If this contradiction (Local Government Areas been equal to a Region/Municipality) is not addressed the issue of power relations conflict between the Governors and the Local Council Chairpersons will remain and always trigger undermining of authority.

Political decentralisation to local government is favoured for a number of reasons. Some of the more important arguments are that it enables minorities to avail themselves of government power, it can keep power close to citizens, it can prevent arbitrary central government rule, it can promote political participation and it ensures more efficient delivery of local government

⁴ A Political Head can be anyone who has taken up the responsibility of governing a tribe, city, state, region or even an entire nation. Read more at <http://www.thefamouspeople.com/political-leaders.php#qJUuT1Vk2hoLyh5O.99>

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services (Maass, 1959; Sharpe, 1970; Grindle, 2000; Wunch and Olowu, 1990 in Robert Cameron, 2003).

On the effectiveness of political decentralisation, about 76.4 per cent of the respondents said political decentralisation is either effective or very effective in The Gambia while about 23.7 per cent agrees that it is either weak or moderate because most of the political parties are not participating in Local Government elections, and are also more centralised and individualised which raise many questions on how sustainable they can be if the party leader leaves.

In a democratic decentralisation there should be high competition among political parties during elections in a level playing field to enable the electorates make informed choices among the candidates. In addition, the universal adult suffrage does not have the power and mandate to elect their Area Council Chairpersons and people are still not fully participating in the political decentralisation process as there is always voter apathy in Local Government elections compare to Presidential elections.

For example the voter turnout for 2011 Presidential elections for Banjul was about 82% and for the 2013 Local Government elections (Mayorship) was about 46% while for Kanifing Municipality voter turnout for 2011 Presidential elections was about 81% and for the 2013 Local Government elections (Mayorship) was about 20% (as cited from the Independent Electoral Commission – The Gambia Elections Results).

Table 4.3 shows the frequency (number of respondents) and valid per cent (the total actual per cent) on the views of the respondents on the effectiveness of political decentralisation in The Gambia.

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Table 4.4: Effectiveness of Political Decentralisation

	Frequency	Percent	Valid Percent	Cumulative Percent
Very Effective	5	11.6	13.2	13.2
Effective	24	55.8	63.2	76.3
Valid Moderate	5	11.6	13.2	89.5
Weak	4	9.3	10.5	100.0
Total	38	88.4	100.0	
Missing System	5	11.6		
Total	43	100.0		

Source: Author's Field Work, September, 2015

According to Vikas Nath (2000), “political decentralisation is a top-down process, which by delegating power can help to reduce the centre's control over the social, economic and cultural life of its citizens. Political decentralisation aims to give citizens or their elected representatives more power in public decision-making. It is often associated with pluralistic politics and representative government, but it can also support democratisation by giving citizens, or their representatives, more influence in the formulation and implementation of policies. Political decentralisation, in contrast to administrative decentralisation, is not concerned primarily with increasing efficiency, improving service delivery by the government, removing bottlenecks and reducing delays, increasing the ability to recover costs but with the devolution of power to the grassroots and leading to the formation of “local-level” governments.” Currently in The Gambia there is no total devolution of powers to the decentralised structures and the political decentralisation still need improvement to address the increase involvement and participation of both citizens and political parties in the political field.

The other arguments in favour of political decentralisation are decision-making power will be in the hand of local authorities who are more aware of the local situation and hence are in a better position to take judicious decision; there would be a greater cognisance of community preferences in decision-making which would lead to a greater participation of people in the governance processes and their greater sense of belongingness towards the infrastructure set up.

This would have positive implications on the sustainability of infrastructure; and decision-making at the lower levels would imply a significant reduction in the time taken for taking a decision as well a reduction in the administrative costs (ibid).

Vikas Nath (2000), also added that in political decentralisation there will be greater spaces for participation of marginalised communities in the governance processes as the local government would comprise of local, popularly elected representatives; and political decentralisation would lead to a balanced regional development as many inefficiencies arise from attempting to administer a very backward economy through a highly centralised political authority and the development of that area often gets neglected.

Furthermore, Vikas Nath “argues that some of the claims of the proponents of political decentralisation stand validated in cases where there was a clear political leadership and transparency in carrying out the decentralised process and enough time was given to the decentralised institutions to develop organisational and human resources capacity to handle the inflow and use of power. For example, reforms in Ghana, Nepal and Uganda have led to transfer of significant authority to lower levels of government to decide their development needs and priorities and now have more control over the resources. Further, in Ghana and Uganda, districts can raise some of their own revenues and negotiate directly with external donors for additional assistance.” In the case of The Gambia there are inadequate devolution of powers and sources of revenue to the decentralised structures whereby negotiating and entering into financial borrowing is not the mandate of the local government councils.

4.6. Administrative Decentralisation

To understand the level and nature of interaction between the Central Government and the Local Government Councils, about 94.8 per cent said the relationship is either Very Cordial or Cordial but needs improvement. The respondents said Central Government decisions are filtered to Councils through their line Ministry and the Ministry at the central level channels Council’s demands to the Central Government. Thus, Central Government directives are also channelled to Councils through the Governors or the Ministry responsible for Regional Administration.

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However, they added that the interaction is centralised and issues and decisions are dictated from the Centre to the LGAs/Region. Interestingly about 5.3 per cent of the respondents said the relationship is weak. The point of view of the respondents who said the relationship is weak argued that because the LGAs do not seem to have much initiative to drive the development process of the Regions/Communities as envisaged by the Local Government Act (2002) rather key initiatives originate from the Centre and at the same time the Centre is also hijacking all the sources of Councils’ Revenues.

The views of the respondents were sought on the effectiveness of administrative decentralisation in The Gambia and 13.2 per cent said administrative decentralisation in The Gambia is weak, 78.9 per cent indicates moderate while only 7.9 per cent said it is effective. The respondents who said it is weak or moderate, holds the view that there is inadequate redistribution of authority, responsibilities and financial resources for providing quality public services among the Local Councils and other actors. They also added that the Chief Executive Officers and Directors of Local Councils are mainly appointed and transferred by the Ministry of Lands and Regional Government (MoLRG) and this also contributed to the ineffectiveness of administrative decentralisation. The table below shows the frequency (number of respondents) and valid per cent (the total actual per cent) on the views of the respondents on the effectiveness of administrative decentralisation in The Gambia.

Table 4.5: Effectiveness of Administrative Decentralisation

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Effective	3	7.0	7.9	7.9
	Moderate	30	69.8	78.9	86.8
	Weak	5	11.6	13.2	100.0
	Total	38	88.4	100.0	
Missing	System	5	11.6		
Total		43	100.0		

Source: Author’s Field Work, September, 2015

It should be understood that administrative decentralisation seeks to redistribute authority, responsibility and financial resources for providing quality public services among different levels of government. It is the transfer of authority and responsibility for the planning, financing and management of certain public functions from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-autonomous public authorities or corporations, or area-wide, regional or functional authorities such as Local Councils.

According to Jennie Litvack and World Bank Decentralisation Thematic Team, the three major forms of administrative decentralisation are deconcentration, delegation, and devolution and each has different characteristics: *Deconcentration* which is often considered to be the weakest form of decentralisation and is used most frequently in unitary states, redistributes decision-making, authority and financial and management responsibilities among different levels of the *central* government. It can merely shift responsibilities from central government officials in the capital city to those working in regions, provinces or districts, or it can create strong field administration or local administrative capacity under the supervision of central government ministries.

Delegation is a more extensive form of decentralisation. Through delegation central governments transfer responsibility for decision-making and administration of public functions to semi-autonomous organisations not wholly controlled by the central government, but ultimately accountable to it. Governments delegate responsibilities when they create public enterprises or corporations, housing authorities, transportation authorities, special service districts, semi-autonomous school districts, regional development corporations, or special project implementation units. Usually these organisations have a great deal of discretion in decision-making. They may be exempted from constraints on regular civil service personnel and may be able to charge users directly for services.

A third type of administrative decentralisation is *devolution*. When governments devolve functions, they transfer authority for decision-making, finance, and management to quasi-autonomous units of local government with corporate status. Devolution usually transfers responsibilities for services to municipalities that elect their own mayors and councils, raise their

own revenues, and have independent authority to make investment decisions. In a devolved system, local governments have clear and legally recognised geographical boundaries over which they exercise authority and within which they perform public functions. It is this type of administrative decentralisation that underlies most political decentralisation.

4.7. Fiscal Decentralisation

Sounding the opinions of the respondents on the effectiveness of fiscal decentralisation (making available enough sources for revenue to the Local Councils at both local and central government level) in The Gambia only 2.6 per cent said is very effective while 23.7 per cent and 73.7 per cent have the opinion that fiscal decentralisation is moderate and weak respectively. The respondents who think administrative decentralisation is weak or moderate in The Gambia attributed it to the fact that there are limited sources of revenue for the Councils coupled with the 25% commitment contribution, grants for development and unconditional grants are not forthcoming from the Central Government. The table below shows the frequency (number of respondents) and valid per cent (the total actual per cent) on the views of the respondents on the effectiveness of fiscal decentralisation in The Gambia.

Table 4.6: Effectiveness of Fiscal Decentralisation

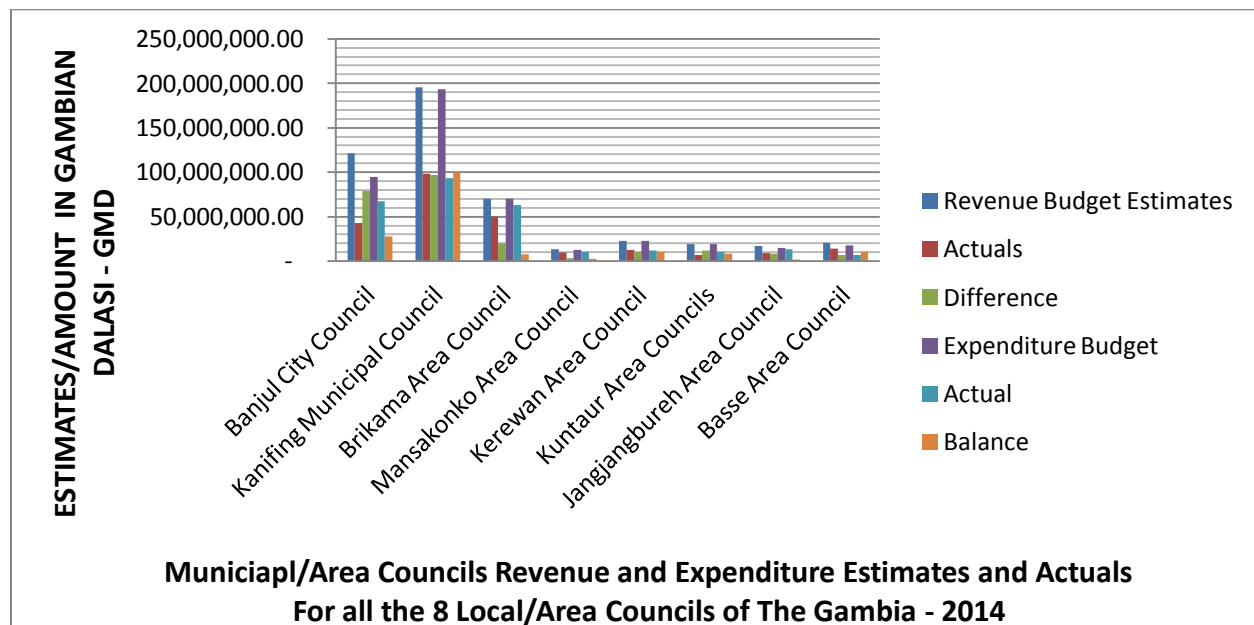
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid				
Very Effective	1	2.3	2.6	2.6
Moderate	9	20.9	23.7	26.3
Weak	28	65.1	73.7	100.0
Total	38	88.4	100.0	
Missing				
System	5	11.6		
Total	43	100.0		

Source: Author's Field Work, September, 2015

Furthermore, based on the findings, 81.6 per cent of the respondents agreed that the current available sources of revenue for the Local Councils cannot address their financial needs and is

not enough to carry out development projects in the communities by the Councils while only 18.4 per cent said the current sources of revenue are adequate to address the financial needs of the Council if only well tapped and properly managed. *“Before the 2002 Local Government Act there were enough sources of revenue to the councils but most of these sources are now taken away from the Councils to the Central Government Institutions”* as quoted from a respondent. Moreover, sources of revenues such as rent tribunal, hotels, bill boards, car parks, sand mining, cattle taxes etc. are transferred either to Ministry of Justice, Gambia Tourism Board (GTB), Gambia Revenue Authority (GRA), Ministry of Interior (Gambia Police Force), Geological Department or Livestock Department. There are inconsistencies in sharing of power as most of these sources are under the central government agencies which contribute to low income to the Councils and all the traditional expenditures of the Councils remains e.g. administrative cost, waste collection, payment of water and electricity bills among others. Figure 4.4 show that the 2014 Actuals on Revenue is always less than the Revenue Budget Estimate of all the Local Councils which means there is a problem with revenue collection and management systems in the Councils.

Figure 4.4: 2014 Revenue and Expenditure Estimates and Actuals of Local Councils



Source: Author's Field Work, September, 2015

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Based on the views of the target respondents, 30 out of the 38 respondents agreed that the Central Government is not meeting its financial obligations to the Councils as expected as there is gradual decrease in the realisation of the car park fees and the failure of the Central Government to settle its dues to Local Councils while the 25% commitment contribution from the central government is not forthcoming which should complement council's effort in their development projects at community level (60% for development and 40% for administration of Council's Revenues generated). In addition, Thirty-seven (37) of the respondents said that the collection and control of the major sources of revenue of the Municipal/Area Councils in the second quarter of 2015 by the Gambia Revenue Authority (GRA) has contributed to the Councils inability to meet their financial obligations; affected all operational and service delivery needs of the tax payers; led to serious delays in the timely execution of Ward Councillor's priority projects in their respective wards, timely payments of salaries due to the process to receive monies from GRA, and waste management; reduced performance and morale of staff. However, some respondents said it has paved the way for revenue savings and preservation thereby desisting from unwanted spending.

According to the 1st April 2015 Publication of The Point Newspaper, “The Gambia Revenue Authority has indicated that with effect from 1st April 2015, the authority is taking over the revenue collection responsibility hitherto being performed by the Area Councils and Municipalities throughout the country. According to a public notice by the GRA, the collection of revenue includes the following: rental of markets, shops/stalls, trade licence paid by businesses in all council/municipality jurisdictions, and land transfer fees payable on the purchase and transfer of all landed properties. The notice further advised all and sundry to visit the nearest GRA Tax Office to make these payments, and cooperate with and the Authority since it is “collecting revenue for national development”.” Unfortunately what was realised during the cause of this exercise was that GRA lacks the human capacity to effectively and in an efficient manner do the daily collections of these revenues without partnering with Councils (Using Council Personnel).

The 11th June 2015 Publication of The Point Newspaper indicates that “Reliable sources have told The Point that Regional Area Councils including Municipal Councils have retaken revenue

collection from the Gambia Revenue Authority (GRA). According to our source, Area Councils and Municipalities are now fully in charge of revenue collection from taxpayers, following an executive directive dated 8th June 2015. Following this new development, the management of the Brikama Area Council has sent a press release to the media informing the general public and business persons within its jurisdiction.... The release further stated that as a result of the reversal of the above function, GRA has ceased to collect revenue on behalf of the Council effective 9th June 2015. According to the BAC release, all previous system of payments of their revenue remains the same.” The findings also revealed that about 97.3 per cent of the respondents highly agreed that the Councils are unable to plough back 60% of their revenues back to the communities for development as even the Central Government is not fulfilling its financial obligations as expected by the Law to Local Councils. Though only 60% of the rates collected from each Ward in certain Area Councils (e.g. Basse Area Council according to some respondents) remains with the Ward Development Committees which is a good move. The table below shows that the 2015 allocation of finances to all the government ministries that of the MoLRG responsible for the decentralisation programme cannot be seen as it is treated under *others* which when combine is about 9 percent of the total budget for all other Ministries and Agencies not mentioned.

Table 4.7: Sectoral Allocation for the 2015 Budget of The Gambia Government

SECTORAL ALLOCATION FOR 2015 BUDGET

Departmental Recurrent & Development Budget (All Funds)	D' Millions	% of Total
Office of the President	823.43	9.16
Ministry of Basic & Secondary Education	1,354.56	15.07
Ministry of Health & Social Welfare	684.76	7.62
Ministry of Finance & Econ. Affairs	647.04	7.20
Ministry of Works, Construc. & Infra.	858.17	9.55
Ministry of Trade, Regional Integration and Employment	360.61	4.01
Ministry of Foreign Affairs	454.76	5.06
Ministry of Interior	506.16	5.63
Ministry of Agriculture	651.72	7.25
Ministry of Defence	591.03	6.58
Ministry of Fisheries, Water Resources	32.19	0.36
Ministry of Higher Education	1,245.39	13.86
Others*	777.42	8.65
Total	8,987.24	100.00

*Others: Ministries not listed above

Source: 2015 Budget Speech of The Gambia

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According to Part VII of the Local Government Act (2002) of The Gambia on the Financial Provisions of the Council stated in Sections 127 Subject to this Act or any other enactment, every Council shall have autonomy over its financial matters and section 128 (1) The revenue and funds of a Council include all sums of money or funds accruing to a Council; (2) The revenue and funds of a Council shall be applied to the administration, development and welfare of the inhabitants within its Area of jurisdiction; and (3) The Central Government shall provide *twenty-five per cent* of the Council's development budget. Therefore, the current resource base of the Councils and lack of the 25% commitment Contribution of the Central Government, achieving the development and welfare of the inhabitants will continue to be in the blueprint and not actualise in the communities.

Jennie Litvack and World Bank Decentralisation Thematic Team stated that financial responsibility is a core component of decentralisation. If local governments and private organisations are to carry out decentralised functions effectively, they must have an adequate level of revenues either raised locally or transferred from the central government as well as the authority to make decisions about expenditures.

In addition, Part VII of the Local Government Act (2002) of The Gambia on the Financial Provisions of the Council stated in Sections 131 (1) A Council shall have power to levy rates and such taxes as the National Assembly shall prescribe, to meet all liabilities, whether of a general or special nature; (2) Rates shall be levied and collected in accordance with the provisions of the General Rates Act, 1992, and the law referred to under section 130 of this Act; and (3) Notwithstanding subsections (1) and (2) of this section or any other law, a Council may also make and levy rates on flat-rate basis outside of a valuation list. During the data collection it was observed that for many years now the rates and taxes are never increase and the Councils do have limited mandate to increase the rates even though there is high demand for the provision of quality services and development on the Local Councils by the people.

Fiscal decentralisation can take many forms, including (a) self-financing or cost recovery through user charges, (b) co-financing or co-production arrangements through which the users participate in providing services and infrastructure through monetary or labour contributions; (c)

expansion of local revenues through property or sales taxes, or indirect charges; (d) inter-governmental transfers that shift general revenues from taxes collected by the central government to local governments for general or specific uses; and (e) authorisation of municipal borrowing and the mobilisation of either national or local government resources through loan guarantees. In many developing countries local governments or administrative units possess the legal authority to impose taxes, but the tax base is so weak and the dependence on central government subsidies so ingrained that no attempt is made to exercise that authority (Jennie Litvack and World Bank Decentralisation Thematic Team).

4.8. Human Resource Capacity of the Councils

In relation to the human resource situation of the Councils, 100 per cent of respondents accepted that it is very difficult to acquire and retain highly qualified technical human capacity/resources in the Municipal/Area Councils. The reasons they advance were that recruiting and retaining qualified technical human capacity is no easy task for any organisation let alone for the LGAs; there should be better incentives and motivations which quite often is lacking. The respondents added that the salaries and other benefits offered by the Local Councils are small that it makes it very difficult to acquire and retain qualified personnel and as a result many qualified personnel are easily targeted by the private sector. There is no doubt that if all the Regional Directorates of Education, Agriculture and Health etc. are transferred to the Local Councils then human capacity will not be a problem because the Local Government Act (2002) clearly states that transfer of institutions from the Centre to Local Governments should go with all the resources (human, finance and material).

On the creation of the Local Government Service Commissions (LGSC) responsible for recruitment, discipline and management of the human resource based in all the Municipal/Area Councils, 68.4 per cent of the respondents said it is a duplication of efforts and resources as there are already Establishment Committees in all the Councils as mandated by the Local Government Act (2002) even though the two have different mandates to perform. The respondents also argued that the existence of the Personnel Management Office at the central level and then creating a LGSC in every Local Council is a duplication of efforts and putting more financial

burden on the Local Councils. All the respondents agreed that LGSC are ineffective and inefficient as some of the members selected are not qualified and experienced enough in performing such sensitive duty and also the guidelines provided by the MoLRG were not properly adhered by most Councils/Regions during the composition of the Commissions.

Other respondents added that the creation of the LGSC may not necessarily be a duplication of efforts but certainly having LGSCs in each Local Council is a waste of resources and time and the likelihood of influence, patronage and incompetence cannot be rule out. A person with high integrity in the community to be a member of the LGSC is vague which needs definition and in the absence of which selecting unqualified and inexperience people into the Commissions will continue to happen.

However, “decentralisation has not always achieved the desired results of its proponents. Indeed, decentralisation has often been associated with political clientelism, corruption and mismanagement (Migdal, 1988 in Robert Cameron, 2003). Appointment of staff is an important ingredient of local autonomy. However, extensive local government control over local staffing without the central impetus of ensuring sound personnel practices can lead to corruption and nepotism. This was pointed out as far back as the 1960s by the United Nations (1962). Appointment of staff is an important area for patronage. Often newly empowered city politicians want to hire their own employees, for political as well as efficiency and loyalty reasons (Grindle, 2000 in Robert Cameron, 2003).”

4.9. Service Delivery by the Local Councils

Based on the opinions of the respondents, the Services that they think the Local Government Authorities or Municipal/Area Councils can provide better to the communities than the Central Government in an effective decentralisation process are: Rural Infrastructure Development and Support Community Planning, Provision of Portable Drinking Water, Environmental Sanitation (sanitation and waste management), Primary Health Care, Agriculture, Natural Resource Management, Forest Development and Management, Provision of Basic Education, Street

Lights, Road Construction and Rehabilitation in towns and villages, support to livelihood activities, construction of markets and recreational facilities, and other Social Services.

The respondents believed that this is sure because of Central Government’s commitments to national issues less priority will be given to immediate local needs, access to the communities is easier for the Local Councils than the Central Government, it be simple for the citizens to hold Councils accountable and transparent than holding the Central Government accountable on the provision of quality services and also the communities are directly involved in the development process and that breeds that sense of ownership in them. The question will be in the absence of the National monthly/biweekly Cleansing days will the Local Councils (especially in Banjul, Kanifing Municipality and West Coast Region) be able to cope with the collection and management of waste/refuse and the drainage systems? There is no doubt that couple with limited capacity in the Local Councils and indiscriminate dumping of refuse by the people also affects the operations and management of waste by the Councils.

The 19th August 2015 Publication of Daily Observer Newspaper as quoted said ..., the Chief Executive Officer of Banjul City Council (BCC), presided over the inauguration of a Committee for proper Management of Waste on behalf of the Mayor of the city. With increased administrative, commercial, port and domestic activities, waste management in Banjul ... gets more and more complicated by the day without the capacity to deal with the influx... a modern and efficient waste management service is a top priority ... the Council intends to make Banjul one of the cleanliest capitals in Africa, adding that BCC aims to establish a new public–private partnership (PPP) policy framework created by government to address waste management on a long-term basis.”

Decentralists argue that because local governments are located closer to people, they are better suited than central government to identify what kinds of services people need. This information advantage in identifying public needs suggests that local governments can produce services that are more responsive to public aspirations . . . “provision of public services should be located at the lowest level of government, encompassing, in a spatial sense, the relevant benefits and costs” (Oates, 1999, quoted in Saito, 2010 in Herman Touo, 2014). In addition, for the Local Councils

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to ensure the provision of quality public services the necessary capacities must be present at the lowest level of governments.

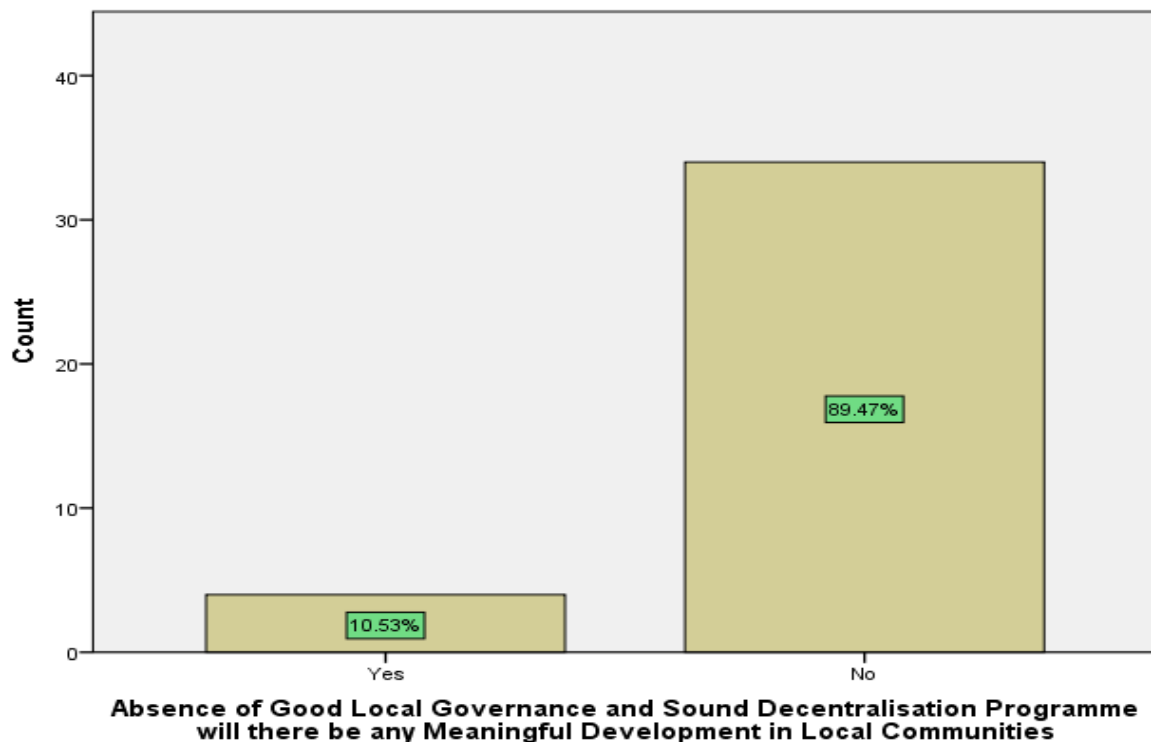
When the views of the respondents were sought on the question “can decentralisation bring quality services to the door step of the people?”, 100 per cent of the respondents answered YES, because decentralisation involves the grassroots participation in self-governance and the inculcation of ownership for the improvement of public sector effectiveness, efficiency, responsiveness, transparency and accountability; it can address the felt needs of the local people as they will be in control of their own development; decentralisation encourages community empowerment, participation and proper management of their own resources; if people are involved in decision-making in their own development projects it ensures sustainability. In addition decentralisation is generally people-centred as communities take charge of their development process by directly participating in decision-making; the chances are that they will be need-based priorities identified by the local communities; and the net result is that quality services will be delivered.

Furthermore, 100 per cent of respondents highly agreed that the lack of the Central Government’s 25% commitment contribution to the development budget of the Councils as per the 2002 Act is affecting the operations and delivery of quality services to the communities while 57.9 per cent of the respondents said the current implementation process of decentralisation does not provide an enabling environment to bring about meaningful development to the Local Communities. This is simply due to the fact the Legislations that should facilitate the smooth implementation of decentralisation are not applied to the letter, the resource allocation framework is not being implemented and until that is done, decentralisation they believe will just be a mere lip service.

In addition, according to the findings 89.47 per cent of the respondents said in the absence of good local governance and a sound decentralisation programme there will be no development in The Gambia Local Communities because (1) it is difficult for the Central Government to concentrate on all areas for development without decentralised systems to enhance the identification and allocation of resources, (2) planning will be more centralised (top-down)

instead of bottom-up approach to development, (3) there will be no grassroots participations, ownership and sustainable development, (4) good local governance empowers the people and ensures accountability and transparency and decentralisation also empowers the people to manage their resources to their best interest in terms of development projects in the absence of which development will be meaningless and corruption in all its form will be the order of the day.

Figure 4.5: Absence of Good Local Governance and Sound Decentralisation Programme

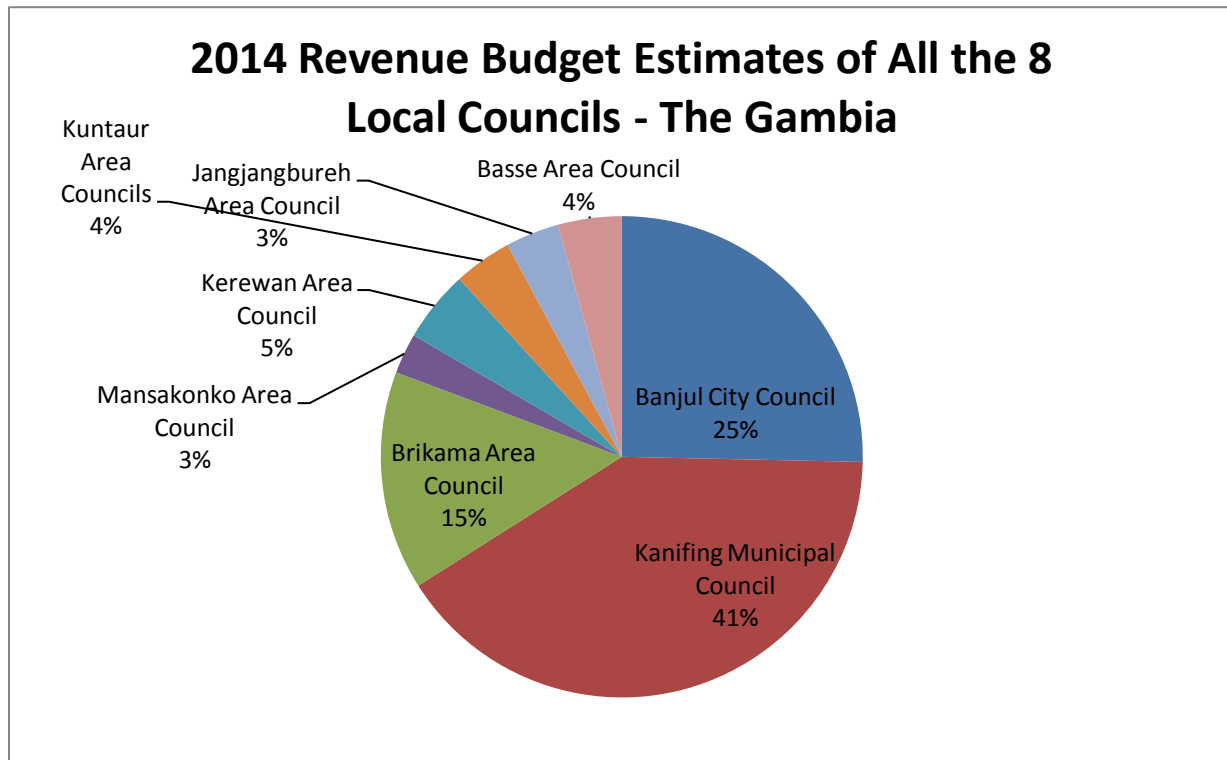


Source: Author's Field Work, September, 2015

However, 10.53 per cent of the respondents said YES there will be development in the Local Communities as NGOs, CSOs and other partners will continue to support and facilitate development, public project financing through loans and bilateral funds, and adopting other policies such as community and rural development policy but they added that there will be development at a snail's pace with no qualitative and sustainability assurances. Furthermore, the findings revealed that the revenue base of the urban Local Councils is far stronger than the rural areas. For example the 2014 revenue budget estimate of Banjul City Council with a population of

less than 40, 000 inhabitants is more than the five Area/Local Councils in the rural areas (Kerewan, Mansakonko, Kuntaur, Jangjangbureh and Basse Area Councils) as shown in the figure below and this can be a source for rural-urban migration and emigration of the citizens particularly among the youths.

Figure 4.6: 2014 Revenue Budget Estimates of Local Councils in The Gambia



Source: Author's Field Work, September, 2015

According to Machel McCatty (2004), “Policy makers must realise that rural-urban migration is an inevitable consequence of both asymmetric policies and economic development favouring urban areas. Migration should be seen as an equilibrating response to disequilibrium existing in the economy, and it is the responsibility of governments to reduce this disequilibrium. As long as there are gaps in rural-urban employment opportunities caused by urban bias, there will be migration. Machel added that in developing countries it is very important to promote secondary cities and market towns. Many countries have huge primary cities because of urban bias.” Therefore it is of paramount importance to curb rural-urban migration and emigration through

decentralising sustainable employment opportunities and quality service delivery in the rural settlements in order to ensure a balance urbanisation in the country.

4.10. Participation of other Actors in the Decentralisation Process

The findings shows that current actors (Governmental, NGO, CSOs private, CBOs, among others) in the decentralisation process of The Gambia are; Office of the President, MoLRG as custodians of the Local Government Act and other legislations on decentralisation, various line Ministries (Finance, Education, Health, Agriculture, Works and Infrastructure, Forestry and Environment etc.), Local Government Authorities at the community level, Communities, ActionAid International The Gambia – AAITG, TANGO, WANEP, GOVI, The Gambia Red Cross Society, Independent Electoral Commission, National Council for Civic Education, Concern Universal, Local CSOs/CBOs, Media, Bilateral Partners and other Development Partners (UNDP, EC etc.) among others. For example UNDP is very active in providing both technical and financial support especially in the development of a new National Decentralisation and Local Development Policy and an Implementation Plan which was absent in the former National Decentralisation Policy while only few CSOs/NGOs are engage in policy advocacy.

According the respondents there are both youth and women nominated Councillors in the Municipal/Area Councils and they are nominated to represent their interest groups. They added the nomination is by proposals coming from the civil society organisations or interest groups they represent and appointed by the Chairperson/Mayor of the Council with the concurrence of the Secretary of State/Minister responsible for Local Councils. Some of the respondents added that except for the nominee from the Chiefs both the youth and women are nominated by Regional Governors while others said in actual practice the interest groups submit to the Governor who forward it to the Minister of Lands and Regional Government for final approval.

Based on the Local Government Act (2002) as cited in Section 11 (2) Nominated members shall be proposed by the civil organisations or interest groups they represent, and appointed by the Chairperson with the concurrence of the Secretary of State. In accordance with this section it was raised by the respondents and observed/discovered that selection of both youth and women

nominated Councillors in most of the Councils do not follow/adhere this section and there is no provision in the Principal Act of Local Governments where Governors are given the mandate to nominate or appoint any of these nominees.

Interestingly 94.7 per cent of the respondents maintained that even though sensitisations are conducted in the communities, there is inadequate knowledge/awareness of the citizens as key actors on their roles in the decentralisation process which has contributed to their low level of participation in the decentralisation process. Furthermore, 73.7 per cent of respondents said the citizens are not participating as observers in Council meetings of the Municipal/Area Councils as stipulated in the Local Government Act (2002) while 63.2 per cent also said the NGOs/CSOs also do not participate as observers in Council meetings of the Municipal/Area Councils. However, the findings revealed that in some Councils a very limited number of individuals and organisations attend Council meetings as observers which needs to be addressed by Local Councils to ensure the full participation of these actors in the Council meetings as required by the Act.

According to the 2002 Local Government Act of The Gambia, the meetings of the Council is clearly spelt out in the following sections; section 30 Every meeting of a Council, other than a committee meeting, shall be open to the public, section 31 A Council may conduct its business in English and in any Gambian language common to the communities within its Local Government Area and section 32 (1) Minutes of all meetings of a Council shall be recorded and kept in the English language and (2) Copies of all minutes of meetings of Council shall be open for inspection by members of the public. In reality is this being practice by the Municipal/Area Councils in The Gambia to ensure accountability and transparency?

The UN-HABITAT's (2007) “International guidelines on decentralisation and the strengthening of local authorities” stressed the importance of effective decentralisation for enhancing local governance and that political decentralisation to the local level is an essential component of democratisation, good governance and citizen engagement; it should involve an appropriate combination of representative and participatory democracy; Participation through inclusiveness

and empowerment of citizens shall be an underlying principle in decision-making, implementation and follow-up at the local level.

Remarkably, One hundred (100) Per cent of the respondents said the high level involvement of NGOs/Civil Society Organisations is indispensable and very important in the decentralisation process of The Gambia as these organisations are contributing immensely in the development process of the country and can do more if they are given more opportunities to participate. For example NGOs/CSOs like AAITG, TANGO and WANEP support capacity development on various aspects of decentralisation such as, Human Right Based Approach to development, resource allocation, budgeting, and human rights among others to the LGA as stakeholders in decentralisation. However, 21 out of 38 respondents said the current involvement and participation of Non-Governmental Organisations and Civil Society Organisations in local governance and decentralisation in The Gambia is not effective due to the fact that there are limited resources and also the environment is not quite open for effective NGO/CSO intervention and participation in governance.

According to the UN-HABITAT, (2007), Local authorities should recognise the different constituencies within civil society and should strive to ensure that all are involved in the progressive development of their communities and neighbourhoods. Local authorities should have the right to establish and develop partnerships with all actors of civil society, particularly non-governmental organisations, community-based organisations, the private sector and other interested stakeholders.

4.11. Monitoring and Evaluation (M&E) of the Local Government Authorities

The author sought the opinions of the respondents on the current accountability mechanisms and over 73.7 per cent of the respondents agreed that the accountability mechanisms/systems put in place are sufficient to hold the Local Councils more accountable and transparent to the citizens but the awareness among the citizens on how to exercise those rights are lacking. They also accepted that even though the accountability mechanisms/systems put in place are sufficient, there is still room for more improvement in making the mechanisms more efficient and

practicable. “Citizens can only legitimately authorise representatives and hold them accountable if there are many avenues and institutions through which they engage with both each other and their representatives” (Young Iris Marion, 2000).

On the other hand, about 65.8 per cent of the respondents agreed that there are inadequate powers given to the citizens in the Local Government Act (2002) which make it difficult to hold their elected local government officials accountable. This they attributed to the fact that the citizens/universal adult suffrage does not have the powers to directly decide who should be their Area Council Chairpersons which makes them lose the most important power base to hold their leaders more accountable and transparent in their functions. The Local Government Act (2002) gave powers to the people to hold their elected representatives accountable through elections, publication of Council minutes, budgets, audited accounts and annual reports but the inadequate level of awareness of citizens on their rights is a cause for concern which needs to be address through intensive advocacy and sensitisation by all actors especially the NCCE, IEC, Youth Groups, Women Groups, CBOs, CSOs and NGOs.

Part VII of The Gambia Local Government Act (2002) on the Financial Provisions of the Council as stated in Sections 129 Every Council shall be answerable and accountable to - (a) Its electorate for all moneys which accrue to the Council from the electorate; and (b) The National Assembly for all moneys appropriated to the Council from the Consolidated Revenue Fund, or otherwise and section 130 stated that subject to the provisions of this Act, the financial affairs of a Council shall be regulated in accordance with a Local Government (Finance and Audit) law to be enacted by the National Assembly and this Act is now in place but needs full implementation.

In addition, Part IX - Inspection, Monitoring And Co- Ordination of Local Government Authorities stated in the Local Government Act (2002) Sections 148 that the coordination of, and advocacy for Local Government Authorities as well as policy issues shall be the responsibility of the Department of State for Local Government. Section 149 added that the Department of State shall - (a) Monitor and co-ordinate Central Government initiatives and policies as they apply to Local Governments and ensure harmonisation; (b) Co-ordinate and advice persons and organisations, in relation to projects involving direct relations with Local Governments; (c)

Assist in the provision of technical assistance to Local Government Authorities; (d) Monitoring and supervision of the operations of Local Governments and their compliance with all laws, regulations and national policies and guidelines; and (e) Ensure transparency, accountability and compliance (The Gambia Local Government Act (2002).)

In the same Act, Section 150 indicates in sub-sections (1) The inspection of Local Governments by the Department of State and other State organs authorised by law shall – (a) promote and foster adherence to the rule of law and principles of natural justice and good governance, and (b) Foster the elimination of corruption and abuse of office; (2) Subject to the Constitution and any other law, an authorised person carrying out the inspection shall have powers to- (a) Enter and inspect the premises or property of any Local Government Authority as may be relevant to the inspection, (b) inspect books of accounts, records, stores and any other documents and require any person to produce any documents or item connected with the inspection and where necessary retain any document or item connected with the case being investigated, and (c) Look into any matter on his or her own initiative or on complaint made to him or her by any member of the public, whether or not that person has personally suffered any injustice by reason of that matter; and (3) an authorised person carrying out the inspection may attend any meeting of a Council or Committee of a Council (ibid).

Furthermore according to Section 151 (1) Where on receipt of a report on a Council, the Secretary of State is satisfied that a duty or power of a Council is being performed or exercised in an improper, unlawful or inefficient manner, the Secretary of State may, in respect of that duty or power, cause a meeting of the Council to be called and point out the irregularities found and give the Council any guidance necessary; (2) Where the Council fails to address the irregularities referred to in subsection (1), or to follow the guidance of the Secretary of State considers that the matter is of a grave nature, the Secretary of State may do any or all of the following: (a) institute a commission of enquiry to look into the matter, (b) impose expenditure ceilings, or other financial measures, if the irregularity relates to any financial mismanagement, for such periods, as he or she may deem necessary (ibid).

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Section 151 (1) (c) of the said Act added that the Secretary of State can make recommendations to the Council for the removal of any member of the Council, including the Chairperson, if the irregularity concerns any actions or omissions of the member, or (d) Give such other directions as the Secretary of State may deem appropriate to deal with the situation, and the Council shall comply, accordingly; and (3) Where the findings of a commission of inquiry under this section disclose that an offence may have been committed, the Secretary of State shall refer the matter to the President for appropriate action. If the above-mentioned provisions of the Local Government Act (2002) and other legislations on decentralisation and local development are not efficiently practicalized and effectively implemented then accountability and transparency will still be questionable in the operationalisation of decentralisation in The Gambia (ibid). These Parts, sections and sub-sections of the Local Government Act (2002) of The Gambia, their implementations should be practicalize and seen if only we want to ensure effectiveness, efficiency, accountability, transparency and preventing/eradicating corruptions in Local Councils.

4.12. Effectiveness of Decentralisation in The Gambia

To better understand the status-quo of decentralisation in The Gambia and gauge its level of effectiveness it was important to do a SWOT Analysis on Decentralisation in The Gambia and Decentralisation as a concept first. Based on the findings, the respondents indicate the following points in the table below as the Strengthens, Weaknesses, Opportunities and Threats of Decentralisation in The Gambia and Decentralisation as a concept.

Table 4.8: SWOT Analysis on Decentralisation in The Gambia and Decentralisation as a concept

Strengthens:	Weaknesses:
Decentralisation provides significant services such as transfer of land locally	No total devolution of powers to the Regions/Local Councils but delegated power which could be withdrawn at anytime
Decentralise structures have authority to levy and collect rates	Key components of Local Government Act (2002) not implemented and it has

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It makes Local Authorities closer to the local people	contributed to decentralisation not people-centred
There is the political will and there are constituted Local Government Authorities to facilitate decentralisation	Too much political party interference in the LGA administration as political parties are mostly not separated from governments
Create Awareness, ownership, total participation, equal opportunity and achievement of development aspirations of the citizens	Limited capacity of those implementing Decentralisation programme Limited or no control over revenue resources
It can bring about community projects such the Community-Driven Development Project and Community-based Infrastructure and Livelihood Improvement Project that can harnesses popular participation at the grassroots level	Relinquishing or devolving power from the Central Government organs to the Councils are very slow Lack of adequate qualified and experienced human resources base compared to the demand for the required services
Willingness of people to participate in decision making of their own affairs	Inadequate sources of resources available to the Councils to enhance development
There are adequate legislations in place to facilitate the decentralisation process	Several amendments on the Principal Local Government Act (2002) which affects the implementation process
Decentralisation can ensure development ideas and plans are designed by the people themselves	Low awareness on the decentralisation and accountability mechanisms amongst the actors

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	<p>Constant interference from the Central Government on the operations and management of Council resources</p> <p>Chief Executive Officers and Directors of Councils can be dismissed without due consultation with Councillors/Councils</p> <p>Low rate of revenue identification, collection, management and lack of maintenance of the revenue register book</p> <p>Lack of an existence of a National Decentralisation and Local Development Policy and a National Programme of Action</p>
Opportunities:	Threats:
<p>The 2002 Local Government Act has good components of the principles of decentralisation for example implementation of grassroots democratisation</p> <p>People at the grassroots level will have direct say in their own development needs as a community (greater chance for grassroots involvement in administration or local democracy)</p> <p>The realisation of much better infrastructural development and improvement through participatory governance at the community level, the willingness of the community to</p>	<p>Inadequate accountability and transparency in Council operations/rates collection and management can affect the decentralisation process</p> <p>Misplaced prioritisation can also delay the achievement of sound decentralisation programme</p> <p>Decentralisation reduces Central Government direct control and management of local revenues to Local Government Authorities (LGAs) which may not be in the favour of the Centre</p>

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<p>take up development initiative, seeing themselves as stakeholder and partners in development</p> <p>The presence of international and local partners in development can support the process of decentralisation</p> <p>The availability of NGOs/CSOs/CBOs and higher learning institutes to educate and enlighten the citizenry on the concept of decentralisation</p> <p>Vertical and Horizontal funding e.g. the CDDP and CILIP and SDRD Projects has made great impact on decentralisation in The Gambia Government</p> <p>Increase in revenue base with the coming up of new businesses, increased population, interest of NGOs and CSOs in community development and empowerment</p> <p>Local Councils can have the mandate to lobby funding from external sources as decentralisation is highly on the agenda of the international community.</p>	<p>Occasional encroachment of Central Government into the affairs of Local Government especially in revenue collection and management can deter the decentralisation process</p> <p>Too much of devolution of powers may trigger instability and insecurity as feel by certain authorities in some countries</p> <p>Inadequate allocation of resources directly affects the realisation of decentralisation</p> <p>Political interference in the operations of actors in the decentralisation process as there can be little separation between a government and a political party could kill off grassroots democracy</p> <p>High competition for the limited resources between the government and the private sector, NGO's and Civil Society Organisations etc.</p> <p>High competitive financial benefits in the private sector and other organisations for hiring highly qualified and experience personnel than Governments</p>
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Source: Author's Field Work, September, 2015

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Structural Functionalism addresses the society as a whole in terms of function of its constituent elements such as norms, customs, traditions, institutions etc. This theory attempts to provide an explanation on how human society is organised and what each of the various social institutions does in order for society to continue existing. According to this theory, as a result of being interrelated and interdependent one organ can affect the others and intimately the whole. This theory therefore suit the importance of studying decentralisation and the relationship between Local Governments, Central Government and other development actors/stakeholders in making the society to function well which can bring development to the immediate door step of the communities as every individual and organ of the government have a responsibility towards its society.

Based on the findings, 100 per cent of the respondents agreed that The Gambia has made good achievements in the political decentralisation (election of councillors, councils to make certain decisions as per the 2002 Local Government Act among others) but little progress in administrative and fiscal decentralisation which is the main contributing factor in affecting the effectiveness of decentralisation in The Gambia. In addition, 100 per cent of the respondents said the challenges faced by The Gambia in the Decentralisation process are mainly due to inadequate capacity at Local Councils, the lack of total devolution of powers and resources to the Local Government Councils by the Central Government. Furthermore, other challenges they mentioned were; Lack of a new National Decentralisation and Local Development Policy document, Limited Resources/Revenues at the local level in many Councils, Lack of understanding of the Local Government Act and other legislation on decentralisation among Councillors, staff, citizens and other actors, slow implementation of the Local Government Act/Policies, Limited human, financial and material capacity at Local Councils, Misplaced prioritisation of development needs of communities, Central government not fulfilling its commitment such as the 25% financial contribution to the LGAs, Lack of adequate knowledge on the concept of decentralisation, frequent amendments on the Local Government Act and the lack of distinction between a political party and government by many citizens is also affecting the operations of the Local Councils and the decentralisation process.

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According to Conyers (1990), “control over development planning in the local arena requires the appropriate mix of activities if planning is to be effective, as effectiveness is partly a function of the ability of empowered authorities to coordinate among local public service and development activities. Effective local planning and implementation depend on the mix of powers devolved. This is where the interrelationship between planning and implementation...becomes so important, because decentralisation is only really effective if it includes decentralisation of the power to make decisions, allocate the resources needed to implement these decisions and actually execute them”.

Due to the issues mentioned above, 71.05 per cent of the respondents said decentralisation is not effective in The Gambia but moderate while only 15.79 per cent, 10.53 per cent, 2.63 per cent of the respondents said decentralisation is weak, effective and very effective respectively in The Gambia. This translates that about 86.84 per cent of the respondents agrees that the effectiveness of decentralisation in the Gambia is either weak or moderate which is below average in this study and they said this is due to the fact that the realities on the ground do not reflect the blue print (the Local Government Act 2002 and other legislation), the powers given to Local Authorities to manage their affairs as stipulated in the Act is not adhered to, continuous interference by the Central Government on the operation of Councils, and Local Government Service Commission is not employing personnel as per the real staff capacity requirements of Councils.

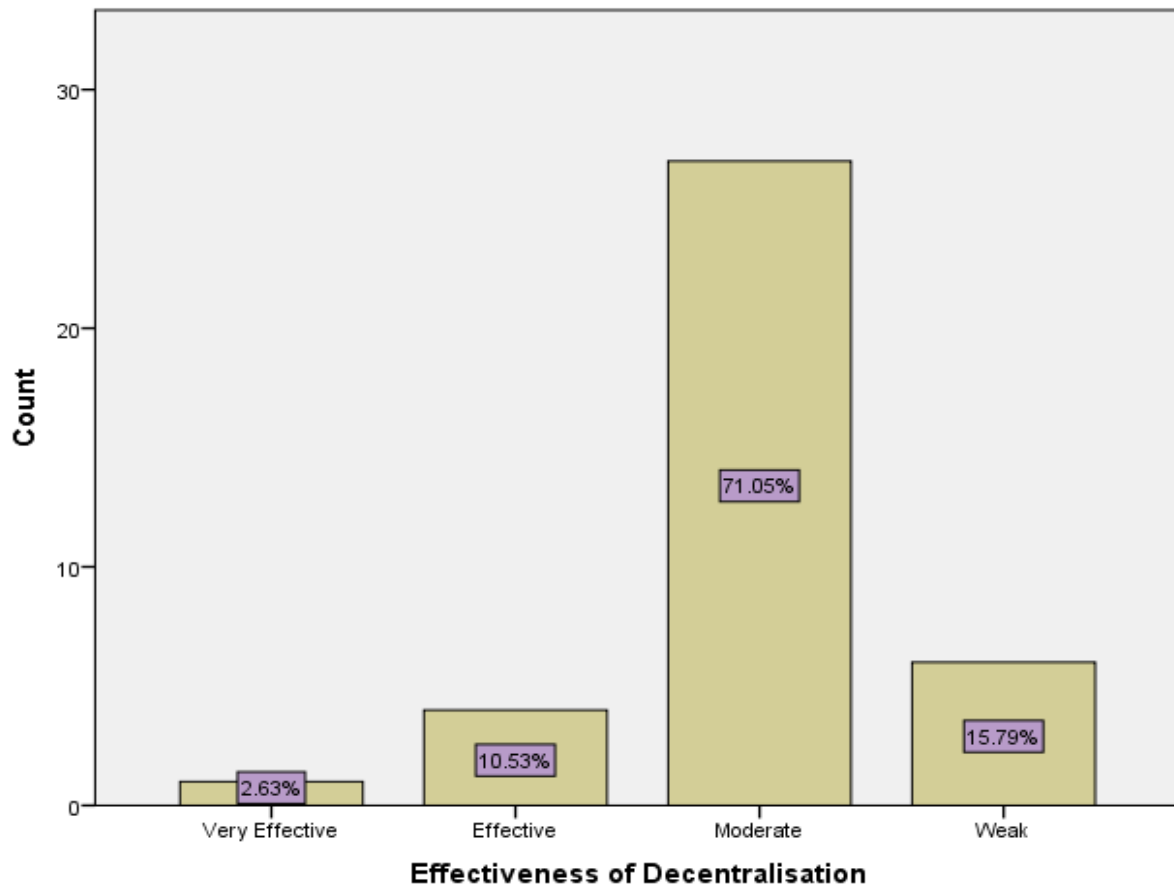
In addition, the respondents added that there is little transparency and accountability in the spending of Council funds since most Councillors are not supported in their priority development project in their Wards, Councillors are not respected as elected representatives of the people and they are often sidelined to participate and contribute in the development process of their communities by other actors. In some areas such as representation in political arena, structural presence, culture and social development there has been significant improvement but in the area of planning, development service provision and resource mobilisation, utilisation and management there is still room for improvement.

According to Charles A. Lindblom, policy making is an extremely complex, analytical and political process to which there is no beginning or end, and the boundaries of which are most

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uncertain. It decides major guidelines for action directed at the future, mainly by government organs. These guidelines (policies) formally aim at achieving what is in the public interest by the best possible means.” (Dror, 1983 in Herman Touo, 2014)

Figure 4.7: Effectiveness of Decentralisation



Source: Author's Field Work, September, 2015

On the other hand, the respondents who said decentralisation is effective believed that there is an element of bottom-top approach to development which can ensure effective utilisation of resources as projects can be community driven. There are also LGA processes/structures e.g. election of Ward Councillors, Local Councils, VDCs, WDC's and TAC and MDFTS in all the Councils and the grassroots are involved in decision-making in their own development projects to ensure transparency and accountability but also agreed that the only thing needed is allowing Councils to operate in higher degree of autonomy and build the capacities of Council personnel.

According to the cultural perspective, a ‘democratic political system is one in which the ordinary citizen participates in political decisions, and democratic political culture should consist of a set of beliefs, attitudes, norms, perceptions and the like, that support participation’ (Almond and Verba, 1963: 178 in Herman Touo, 2014).

The 20th July 2015 Publication of The Point Newspaper, has stated that “A recent study carried out by UNDP Gambia and the Ministry of Finance and Economic Affairs revealed that Kuntaur is one of the most challenged Area Councils and, like other Councils, is not implementing the 2002 Local Governance Act which aims to promote peoples’ popular participation in local governance in a more transparent and accountable manner.”

Democratic decentralisation, for example, involves representative local actors who are entrusted with real public powers and who are downwardly accountable to the local population as a whole. These are also the elements that circumscribe the domain of local autonomy that constitutes decentralisation. If there are representative actors who have no public powers, then the institutional arrangement is not decentralisation. If there are powers, but the actors receiving them are not representative or downwardly accountable, then perhaps it is privatisation or deconcentration (Jesse C. Ribot, 2002). These are the main reasons why majority of the respondents said it is deconcentration that is existing in The Gambia and not decentralisation in its own right as devolution of powers and resources is still questionable which affects the effectiveness of decentralisation in the country.

In an instance where political decentralisation is effective and both administrative and fiscal decentralisations are below average couple with insufficient devolution of powers, allocation of inadequate resources to the local governments, less actors, low participation of citizens and CSOs/NGOs with little downward accountability then decentralisation will be weak if not moderate. According to William Mitchell (1968), structure is generally applied to patterns of power and authority that characterise the relationships between the rulers and the ruled. These relationships are enduring and thus predictable.

4.13. Conclusion

This Chapter has dealt critically with objectivity on the existing mechanisms, institutional arrangements, different actors/stakeholders in the decentralisation process, issues on power sharing and execution among the key structures, resource allocation and the issue of accountability among others. The Chapter further examines service delivery and human resource capacity of the Local Councils, the effectiveness of political, administrative and fiscal decentralisations and decentralisation as a whole. Conclusively the findings indicate that decentralisation is not effective in The Gambia as there are lot of issues to be iron as stated in this study.

Finally, according to Jennie Litvack and World Bank Decentralisation Thematic Team, “the most complete forms of decentralisation from a government's perspective are privatisation and deregulation because they shift responsibility for functions from the public to the private sector. Privatisation and deregulation are usually, but not always, accompanied by economic liberalisation and market development policies. They allow functions that had been primarily or exclusively the responsibility of government to be carried out by businesses, community groups, cooperatives, private voluntary associations, and other non-government organisations.” Therefore the findings of the study shows that the most important and sustainable form of decentralisation is total devolution of powers and resources to the Local Councils which is the main intention of The Gambia but needs to be speed up. The next Chapter being the last Chapter of this study deals with the major conclusions and recommendations for possible consideration by The Gambia in its quest to toward achieving a very effective decentralisation programme and systems. The conclusions and recommendations can also be of benefit to other countries implementing or intent to implement decentralisation.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1. Introduction

This Chapter exclusively deals with the main conclusions on the study and made recommendations on each key elements dealt in Chapter four for consideration by the Government of The Gambia, Local Councils, Citizens and all other Actors in the decentralisation process for the realisation of a more effective decentralisation programme in The Gambia and beyond.

5.2. Conclusions

If decentralisation is anything achievable, Central Government is the most critical stakeholder/actor so that the final destination where decentralisation takes the country is determined by the Central Government than any other player. That final destination should be action oriented by the Central Government committing adequate resources in decentralisation, redistribute authority and responsibility among the actors and total devolution powers to the Local Government Councils to gain there full autonomy. One of the respondents stated *“decentralisation is highly expected by the citizens of The Gambia as the slogan goes “Power to the People””* (interview done 11 September 2015) and another respondent said decentralisation in The Gambia is *“Arms at length but not off”* (interview done 15 September 2015). It should be observed that decentralisation is a very long and sensitive process which invites different actors, attitudes and approaches to make the concept a reality.

Decentralisation follows the principle of subsidiarity which implies that any public function that does not necessarily have to be handled by central authority can be decentralised and entrusted to governmental authorities at sub-national level (Dobiey, 2000 in Gerhard K.H. Töttemeyer, 2000). Töttemeyer added that Decentralised reflects not only a structural process, identifying and empowering sub-national structures, but also a political and administrative process, involving people in determining their own destiny through self-governance and self-administration, while

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addressing problems and issues at a subsidiary level. It is equally a supportive and complementary process sharing and supporting national governance at sub-national level.

The more decentralised The Gambia is as a country certainly the better for the nation as decentralisation (transfer of power and authority, allocation of adequate resources, citizen and civil society participation, good local governance and sound decentralisation programme) can bring development to the local communities and efficacious utilisation of local resources. The participation of opposition parties in local government elections is very crucial in political decentralisation which is still a big challenge for The Gambia and needs to be address by the Centre (Central Government and IEC) with the support of NCCE and other partners.

Moreover, “decentralisation is part of a democratic process of governance. This should be reflected in the credibility and the efficiency of programmes for economic development, poverty reduction, employment opportunities, general upliftment, social services and in the promotion of sustainable development. Equally important is an accountable government and customary friendly governance. The principle of equity should always be adhered to in the decentralisation process. There is a nexus between grass-roots development and grass-roots democracy. Democracy at central level cannot be functional and cannot become properly operative if it is not supported by democracy at grass-roots level. A spirit of mutual respect and complementary support as well as the acceptance of the legitimacy of the role of each participant in the decentralisation process are essential components of building partnerships between government and civil society in decentralised structures. One of the outcomes of decentralisation should be the enhancement of intimate and productive relations between electors and the elected (as cited in Gerhard K.H. Töttemeyer, 2000).”

Local Councils and their grassroots structures should be the entry point for any developmental project/intervention in the communities as stated in the Local Government Act (2002) and Central Government Departments, CSOs, NGOs, Bilaterals, Multilaterals and Development Partners should observe this principle starting from the design, planning and implementation of projects in the spirit of ensuring community ownership and sustainability of projects. There is no doubt that the high level involvement and participation of Non-State Actors in the

decentralisation process will enable them to understand the immediate needs of the Councils and the gaps they can fill (such as financial and human capacity gaps at both national and local level), as a common adage goes *“You put your money where your mouth is”*. In a real decentralisation situation decision-making is done by the citizens/grassroots or their elected representatives in the Councils with less interference by the Centre. Furthermore, it was observed that there is no effective decentralisation in The Gambia as in most cases major decisions are taken and transferred on the citizens/Local Councils by the Central Government for implementation. Fiscal and Administrative Decentralisations are not implemented as expected by the citizens. A standard decentralisation also requires well-functioning structures, a developed human capacity, ensuring a very conducive environment and attractive motivation facilities to fully realise the target goals set.

A number of factors determine the success of decentralisation, among them well-trained administrators, an adequate infrastructure at sub-national level, sufficient financial means and resources, proper coordination of decentralisation at national level, a political will and moral commitment among all the stakeholders in the decentralisation process. Deteriorating economic and social conditions favour unethical conduct. Unethical conduct is also influenced by the awareness and adherence to moral standards and ethical values in society. Decentralisation will not succeed if unethical behaviour should prevail at national level. The consequence would be the decentralisation of unethical conduct and behaviour. Ethics is concerned with both individual and collective morality. Ethics as a collection of moral principles and views is about a collection of acceptable and unacceptable actions in public. It involves motive and action. In moral philosophy it deals with values relating to rightness or wrongness of certain actions, and to the goodness or badness of the motives and the ends of such actions (ibid).

The Gambia being a developing country is important to devolve power to the grassroots which will encourage higher involvement and participation of the citizens. Without the participation of citizens in the development process then development will be ineffective and meaningless and without effective decentralisation it will be difficult and slow to realise both human and sustainable development in The Gambian Communities. Surely there can be development but at a snail's pace and other parts of the country will be more developed than other areas.

Conyers (1990), indicates some typical justifications for decentralisation as a planning and development tool: “increase popular participation in planning and development; make plans more relevant to local needs; facilitate co-ordinated or ‘integrated’ planning; increase speed and flexibility of decision-making; generate additional resources; and encourage more efficient use of existing resources”. However, Oyugi (2000) points out that the advantages mentioned above are “claims and expectations and not hard facts”. These kinds of outcomes depend on conditions such as real power sharing and meaningful participation. Without these, the effects may counter the objectives. These conditions often do not attain. Planning for development is usually accompanied by centralising tendencies. Much of administrative decentralisation has taken place for development purposes. This has been about sharing of powers between central ministries and their field units to enhance project design and implementation. DD (Democratic Decentralisation) without wider institutional, political and economic reform is a contradiction (Dele Olowu, 2001 cited in Gerhard K.H. Töttemeyer, 2000).

In conclusion this study is incomplete as there are more opportunities for further research due to the fact that decentralisation is a continuous process which requires continuous studies. Certainly it will be of interest to conduct in-depth studies on *“decentralisation and economic growth”* and also on *“with all the beautiful concepts and legislation on decentralisation why its implementation faces more challenges?”*

5.3. Recommendations

This work lauds the efforts of The Gambia Government and all other stakeholders/actors in their efforts in promoting decentralisation on their agenda and putting in place structures and legislation in order to ensure popular citizen participation in their own development affairs. However, based on the challenges/short-comings raised in this study and for The Gambia to improve on its decentralisation programme/process and strengthen the operations and interventions of Local Councils and other actors to meet the demands of the populace, the following recommendations are made:

5.3.1. The Legal Frameworks to facilitate the implementation of Decentralisation in The Gambia

The need to review and amend Section 14 of the Local Government Act (2002) cannot be over emphasis. For a person to become the Chairperson/Mayor of a Municipal/Area Council should be beyond popularity and grassroots participation but also with a higher educational qualification and experience to hold such a dedicated position in the decentralisation process is of paramount importance.

The amendment of tenure of Councillors depending on the pleasure of the party, i.e. if dismissed by the party, then a Councillor automatically loses the seat and therefore a by-election to be conducted to fill the vacancy which is inimical to security of tenure of the Mayors/Councillors. It is against the principle of democracy because the people who have elected their representative have no say in the removal. It is therefore important to have a “recall system/process” to allow the people to decide if they want or are pleased with a Mayor/Councillor while the party can have its own disciplinary measures other than person not losing her/his Mayorship/Councillorship.

The implementation of Local Government Act (2002) and other legislation on decentralisation should be adhered and Local Councils to lead in the process to ensure citizens and groups active involvement and participation in Council issues.

To review the State Land Act, Physical Planning Development Control Act and Surveys Act, Land Acquisition and Compensation Act, Licences and Amendment Schedules, General Rates Act, Bye-laws and Standing Orders in order to meet the resource gaps of the Councils and also address better the welfare of the citizens in those Laws.

The Local Government Act (2002) provides the legal or regulatory framework for achieving decentralisation in The Gambia but it has several financial implications which smaller or weaker Local Councils find it difficult if not impossible to shoulder. Therefore government should

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support Councils in their effort to implement their projects at all levels and ensure the 25% commitment contribution to the development budget of Councils as stated in the Legislation.

There is a necessity to put in place a comprehensive Decentralisation Code of Ethics for public administrators and political office bearers at Municipal/Regional and Local Governance levels and should also reflect expectations and commitments.

The Gambia should also develop and implement a Communication Strategy for the smooth implementation of a decentralised Local Government.

To address the gender disparity in the Local Councils, the Local Government Act (2002) and the Election Act should provide for a quota system/allocation by all the political parties for women Councillor Candidature in each LGA.

The Gambia should make efforts to sign and ratify the African Charter on Values and Principles of Decentralisation, Local Governance and Local Development which is very concern with grassroots empowerment and participation.

5.3.2. Institutionalisation/Organisational Structures of Decentralisation

The Gambia Government should put in place a well-functioning National Steering Committee and also a Cabinet Steering Committee on Decentralisation to smoothly facilitate the decentralisation process in The Gambia.

There should be a National Assembly Select Committee on Decentralisation which can also take care of Local Governance issues.

The Gambia Government should endeavour to establish an autonomous National Decentralisation Secretariat for easy implementation, coordination and monitoring of the decentralisation and local development policy and programme of action/implementation plan.

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Building the institutional capacity (human, finance, physical) of The Gambia Association of Local Government Authorities (GALGA) cannot be over emphasised as it can play an important role in the smooth facilitation of the decentralisation process, advocate for the empowerment of Municipal/Area Councils and sharing/learning best practices/success stories among Local Councils in The Gambia and beyond (*a joint force can be better than one*).

To ensure effectiveness, efficiency and avoid conflict of interest looking at the nature of the social, economic and cultural settings under which the Local Government Service Commission (LGSC) operates, the Central Government (MoLRG) should work out the modalities in having one institutionalise National Local Government Service Commission with well experienced and competent people. This will also reduce the financial burdens on every Council and ensure accountability and transparency in the recruitment and management of Local Government Officials/personnel.

5.3.3. Implementation of the Decentralisation Instruments in The Gambia

The Gambia should develop a realistic implementation framework and resourcing mechanism for the decentralisation process.

Municipal/Area Councils should have in place a clear and realistic strategy for development and enhance community empowerment in taking active part in their own development and hold the Councils accountable and transparent.

Local Councils and other Actors should conduct more public sensitisation and dissemination of the concept of decentralisation as a tool for community development.

There is the need to reaffirm commitment as far as decentralisation is concern by involving all the stakeholders namely: - Central Government, Citizens, Development Partners, Bilateral Partners, LGA, CSOs, CBOs, NGOs and the Private Sector among others.

The National Assembly to follow up the progress of the Local Government Act (2002) and other Legislations on decentralisation to ensure their real/actual implementation.

The Central Government to be more committed and ensures the full implementation of the Laws and policies on decentralisation in order to realise the vision of the country.

5.3.4. Political Decentralisation

For The Gambia to greatly achieve political decentralisation and other elements of an effective decentralisation, the Central Government should totally devolve powers to the citizens to elect their Local Council Officials especially the Area Council Chairpersons and for the population or their local elected representatives (Local Councils) to have more powers in public decision-making. There is high tendency and likelihood that if a person is not elected by the populace at the local government level, it becomes difficult for that official to become more accountable and transparent to the citizens especially in a situation where the accountability mechanisms are not implemented or weak.

There are political party structures in the Local Government Areas but some political parties are not having functional structures in the communities. The Independent Electoral Committee (IEC) should continue to strengthening its awareness and capacity building campaigns on the importance of citizen's participation in politics and enforce the implementation of the Election Act with the 2015 amendments.

5.3.5. Administrative Decentralisation

The Central Government should support the decentralised structures in terms of training and proper enforcement of local government instruments for decentralisation.

The Central Government should adequately redistribute authority, responsibilities and financial resources for providing quality public services to the populace by the Local Government Councils and other Actors in the decentralisation process.

5.3.6. Fiscal Decentralisation

Local Councils, National Council for Civic Education and CSOs/CBOs should intensify awareness creation campaigns for the citizens to be more committed in paying their dues, rates and taxes in order to strengthen the revenue base of the Councils and provides the required and quality services to the citizens.

There is need for more resource mobilisation and Councils need to identify and diversify their revenue sources, improve revenue collection and management (Councils should strengthen identification, proper documentation and tracking mechanisms on revenue).

Local Government budgetary activities should be gender sensitive to address the needs of the minority groups, most vulnerable groups, women and youths.

The lack of strong revenue base of the Councils is seriously hampering the operations and quality service delivery by the Councils to the people and it is crucial for the Central Government to make available adequate allocation of revenue sources to the Councils and fulfilment of Central Governments financial commitments.

There is an absolute need to have in place an effective and efficient National Financial Committee to follow-up and lobby funds for the Local Councils as require by the Local Government Act (2002).

5.3.7. Human Resource Capacity of the Councils

There is a need to conduct a robust capacity assessment in all the Local Councils to measure their capacity and readiness to meet the demands of the decentralisation process.

There is a need for staff audit in all the Local Councils as decentralisation cannot be realised in the presence of unqualified and inexperience human resources which is currently affecting the decentralisation process in The Gambia.

The salaries and benefits attached to positions that require highly qualified technical personnel should be very attractive and thus there is an absolute need for reviewing the salary scale and benefits of Local Councils.

5.3.8. Service Delivery by the Local Councils

Local Councils should enter into Public-Private Partnerships (PPP) with the Business Community, NGOs and International Organisations to implement or manage community projects that are beyond the capacity of the Councils and strengthen the capacity of the Councils. Strengthens its Public-Private Partnership (PPP) for human and sustainable development, as a “PPP refers to medium to long term arrangements between the public and private sectors whereby the provisioning of some of the socio-economic services that traditionally fall under the responsibilities of the government are handed over to the private sector for delivery with clear contract on shared objectives” (World Bank 2014).

5.3.9. Participation of other Actors in the Decentralisation Process

Increase the involvement and participation of young people and women in the decentralisation process especially given more opportunities for them to hold high profile positions in the Local Councils. For example out of the eight Municipal/Area Councils there is no Female Mayor/Chairperson and it was also observed that majority of the Councillors and other Council Members in The Gambia are above the maximum youth age bracket of 30 - 35 years while out of the five Regional Governors only one is a Female Governor.

There should be closer and stronger collaboration between Central Government, Local Councils and Non-Governmental Stakeholders in the decentralisation process as one organ cannot do it all.

To ensure transparency in the nomination of Youth and Women Councillors into the Council, it is recommended that nominated members should be proposed by the civil organisations or interest groups and out of all the nominees, the most qualified and experience nominee should be

selected or nomination should be done by civil organisations or interest groups that is more representative of these two interest groups (women and youths) for appointment.

5.3.10. Monitoring and Evaluation (M&E) of the Local Government Authorities

To easily implement Municipal/Area Council activities, coordinate and monitor the activities of VDCs, WDCs, CBOs and other partners operating in the District/Constituency level, it will be of importance and acceptable to have District/Constituency Councils in The Gambia.

The MoLRG should support the establishment of Monitoring and Evaluation Departments in all Municipal/Area Councils to enable the Councils to track the level of implementation of targets and indicators etc.

To strengthen the downwards accountability of Local Councils to the citizens, there should be provision in the Local Government Act (2002) for each Local Council to celebrate decentralisation day in their localities in the form of Mayors/Chairpersons of Municipal/Area Councils giving account of the implemented programmes and finances of the Council before the general public.

To ensure accountability and transparency in the Councils, the financial management systems of the Councils should be reviewed and strengthened for them to be able to address loss of revenue in order to meet the development needs of the people.

To measure the performance of Councils in relation to financial expenditures, there must be a progressive and acceptable standard software financial management system and well established Internal Audit in all Councils in order to track revenue and spending.

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