

RESEARCH ARTICLE

Decentralizing the State in Liberia: The Issues, Progress and Challenges

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Decentralization reforms have become a major part of governance reform in postwar countries. After emerging from fourteen years of civil conflict, Liberia has begun implementing a wide range of governance reform programs, among which decentralization has become a key issue. Although there is consensus among actors – politicians, government officials and civil society activists - on the need to decentralize governance and service delivery there remain disagreement on the scope, nature and timing of decentralization reforms. Overtime, several steps have been taken towards devolution of power, including the promulgation of relevant policies and the deconcentration of services to the counties. There remain, however, a myriad of issues ranging from structural to legal and procedural issues - constitutional reform, revenue collection and expenditure - actors in Liberia need to better consider while rolling out a decentralization program. This includes taking into account the existing capacity and resources constraints. This article discusses issues and progress towards decentralization in Liberia's governance reform efforts, and sheds light on the challenges in implementing decentralization.

Introduction

Liberia is undertaking governance reforms with the ultimate goal of restructuring and revitalizing the state and its institutions. Reforms after crises are targeted at ensuring good governance of the public sector and creating effective regulatory mechanisms for the private and non-profit sectors. Good governance itself is often a catchword in contemporary development discourse. Its principal pillars include effective management, accountability and transparency of public sector transactions, efficiency of service delivery, effective rule of law regimes

and participatory decision-making processes. Governance reforms in a postwar context attempt to address anomalies of public sector governance that in many instances precipitated social and political conflicts. Reform measures vary and are sometimes context specific. In postwar situations, specific areas of governance reform commonly include: public sector reform, government decentralization, security and justice sectors reform, and civil society and private sector empowerment. The focus of this paper is on decentralization reforms in Liberia.

Decentralization has recently emerged as an important governance reform objective in Liberia, much as it has in many other developing countries in the last three decades.¹ This emphasis on decentralization is

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a consequence of the perceived failures of centralized approaches to development and pressures from international development agencies that link decentralization with economic development and further democratic consolidation. Many developing countries, for example Kenya, Ghana, and Uganda, have experimented with decentralization as a means of breaking away from the overburdened and often less efficient centralized state. The results of decentralization reforms have been mixed over time. While some countries, particularly in Western Europe and North America, have succeeded in promoting democratic governance and socio-economic development through decentralization reforms, others, mostly in Africa and the Middle East, have not had the same positive outcomes (Oluwu 1995). There are arguments that decentralization in some countries created a new brand of local elites that dominate and manipulate the local population (Devas 2005). Overall, decentralization reforms, when successful, promote local economic development and strengthen democracy through mass citizen participation in local politics and development.

In Liberia, decentralization is part and parcel of a broader post-conflict governance reform process. Over the years, efforts have been geared toward developing and implementing a comprehensive decentralization program. The case of Liberia presents a challenge as a result of its particular political and economic development history. Not much research has been done on the contemporary structural, legal and procedural issues inhibiting or supporting decentralization in Liberia. It is therefore important for the purpose of scholarship and practice to assess the contextual realities pertaining to Liberia in order to determine the feasibility of effectively undertaking a process of state decentralization. In this article, I analyze some of the key issues in the Liberian context, shed light on the progress made in decentralization in the postwar era, and extrapolate on the extant challenges at hand.

Centralization and the state in Liberia

The formation of the Liberian state back in the mid-1800s was premised on principles of centralization. The various Americo-Liberian settlements along the coasts merged into a commonwealth. In less than a decade the commonwealth or colony evolved into the independent Republic of Liberia, with Monrovia serving as the seat of the central government. This set the stage for the establishment of Monrovia as the center of economic, social, and political power in the country. Since independence, occasional attempts at redistributing power have fallen short of devolving political, fiscal and administrative powers to local units of governments. The state itself has evolved with the creation of local units, such as counties and territories. These were intended to ensure that the local units have administrations through which the central government functions, even though almost all of the powers have remained in the central government and at the level of the presidency. Municipal authorities in the coastal cities and towns also lost autonomy when the municipal charter of Monrovia and several other cities were revoked in the 1920s. Such local administrations were transformed to commonwealth districts which were managed by boards appointed by the president (Sawyer 1995). The local traditional units of clans and chiefdoms, previously self-administered through traditions and with customary laws, gradually merged into the state. Chiefs thus were given new roles as agents of the centralized government. Co-opted chiefs helped to enforce the policies of the Monrovia government on rural people. This included the collection of the hut tax, and the recruitment of contract labor for large-scale foreign enterprises such as the Firestone Rubber Plantation (Kromah 2003). The co-optation of the chiefs further strengthened the predatory and patrimonial nature of the central government and facilitated the erosion of any form of perceived parallel authority in

the hinterlands thus strengthening presidential autocracy or the imperial presidency in Liberia (Kromah 2003).

Similarly, the two Liberian Constitutions of 1847 and 1986 have entrenched such a system by empowering the president with the authority of appointing and removing from office officials of sub-national units of the state. In this regard, the President appoints county superintendents and officials of other sub-national units like districts and reserves the power to remove locally elected paramount chiefs. Through a central line Ministry of the central Government, the President also retains under his/her control the administrative and operational finances of these units. This arrangement, rooted in the Constitution and statutes, has not provided for the creation of self-governance and service delivery institutions at the local level. Consequently, the central government in Liberia has been over-burdened, less effective, and over the years has ultimately failed to deliver services to the masses of the people. This contributed to igniting political and social tensions such as the civil uprising for political participation in the 1970s, the military coup of 1980 and civil war that followed (1989 – 2003)

The centralized state has functioned through agents of line ministries assigned to counties and/or territories with limited or no decision-making powers and resources. The highest official of a County appointed by the President is the Superintendent who works under the supervision of the Ministry of Internal Affairs. A County Superintendents is superficially viewed as a 'county president', which would be a position equivalent to a governor in other political systems. The County Superintendents has no administrative or functional relationship with representatives of other line ministries – service delivery ministries like education, agriculture, and Health – operating in the county. This has created grounds for chaos in the governance and administration of local units including those below the county level – the districts. This structure has not provided

for an adequate distribution of power and resources and has hampered delivery of public services. Some observers believe that these factors were part of the causes of state failure and the violent crises.²

At the end of the civil war in 2003, delegates at the Accra Peace Conference made the case for governance reform as a means through which the anomalies of governance in Liberia can be addressed. Governance reform was seen as a way that could ensure the participation of Liberian citizens in the governance of their country. As a result, The Governance Reform Commission (now the Governance Commission) was established under the peace agreement to among others, 'ensure subsidiarity in governance through decentralization and participation.'³ When this Commission was established, it was argued that decentralization, would provide the impetus for such political participation. This proposal was, however, received with mixed reactions among bureaucrats and intellectuals, thus sparking pro-decentralization and pro-centralization (pro-continuity) debates.

Arguments for and Against Decentralization in Liberia

Decentralizing an overly centralized state which is built on premises of patrimonial politics, as is the case in Liberia, requires a comprehensive and radical political reform process. Such a reform process, however, cannot be undertaken without substantial debate among the different actors in political and intellectual circles. This radical shift towards decentralization occurred in Latin America when leftist regimes with populist policies led reforms that redistributed power and authority (Selee 2004). In African countries decentralization typically occurred in a more evolutionary manner through constitutional amendments spearheaded by civilian (Kenya 2010) and military (Ghana 1992) political leaderships alike (Smoke 2003).

In Liberia, the debate has risen to the top of the postwar governance reform agenda, with reasonable arguments from politicians,

scholars and activists in support of or against decentralization. One school of thought, made up of mostly academics and activists, argues that centralization has limited the distribution of economic resources and opportunities to very few people and localities. This group rather advocates that through self-organizing and self-governing mechanisms local people can maximize benefits from their own resources. For this school of thought, until political, fiscal and administrative powers are decentralized, Liberia will not achieve its full potential of socio-economic development.

On the other hand, opponents of decentralization, which include influential officials of the current postwar regime whom their opponents refer to as 'agents of continuity,' argue that decentralization will lead Liberia to a federal state prototype in which local sub-national units will see themselves as states unto themselves. For the proponents of this school of thought, decentralization will lead to further divisions within the state and might have the potential to drive sub-national units into the politics of secession. Proponents of this school also argue that the central government is itself bereft of relevant technical and human resources for the implementation of its programs. Furthermore, they argue, local governments will not succeed in delivering services efficiently since there are not many incentives in the counties to attract qualified people.

This argument is countered by the proposition that as more functions are devolved and resources follow devolved functions, local governments would be able to recruit staff and finance their programs based on the availability of resources. Furthermore, the pro-decentralization proponents argue that once counties are given the authority and allowed to run semi-autonomous local governments, they would be able to tap into relevant natural resources and their local economies to raise revenue that will help them deliver basic services.

While the debate continues and national efforts toward decentralization move in a

snail-like pace, it is safe to infer that most of the national actors, including conservative politicians, seemingly agree that over-centralization is problematic; however, where they diverge is on the scope, nature and timing of decentralization reforms in Liberia. This is where the debate in Liberia fits into the broader debate on decentralization amongst neo-liberalists and leftist thinkers. They both agree on decentralization, but advance it in different ways with neo-liberals pushing for a more gradualist approach, and for a privatized local economy while leftist adopt radical and populist approaches that promote the control of local economy by the state or local governments (O'Neill 2005). The division in Liberia on the nature, timing and scope of decentralization suggest that conservative politicians prefer a gradual process that supports political decentralization and central government's control of the economy, while activist push for a radical and full-scale decentralization of all powers.

Key Issues in Decentralization

The quality, scope and pace of implementing a decentralization program usually depends on the history and experiences of the state involved. Most post-colonial African states did not implement successful decentralization programs due to the politics of patrimonialism that followed after independence. In such countries, post-independence leaders commonly strengthened the centralized state (the legacy of colonialism) as a means of dominating power and wealth or as a means of promoting political order and ensuring regime survival (Sawyer 1992; Wunsch 1995). For example, decentralization in Sierra Leone suffered a grave setback when President Siaka Stevens dissolved all formal local councils that emerged out of the colonial state and brought all powers of the state under his control (Alie 2007). However, some African countries that claim to have a decentralized political system and effective local governments have mostly run deconcentrated structures that have not fully devolved political, fiscal, and

administrative powers to local units (Wunsch undated). Decentralization in any context can succeed or fail based on the existing structures, rules and institutions of governments, the national issues at stake, and the resources available to implement the reforms.

In a state where centralization has been strengthened by constitutional or both de jure and de facto policies and practices, a decentralization program will have to consider a myriad of issues. This includes firstly breaking the chain of over-centralization, reengineering public administration and society, educating the people, and defining territorial boundaries of local administrations. Secondly there is a need to adopt a comprehensive legal framework that defines the limits and boundaries of the powers, authority, responsibilities and resources of each level of government, and their relationship to the other institutions of governments. In the case of Liberia, while there may be numerous issues that are important, the following sub-sections highlight a few prerequisites for a successful process of state decentralization.

Constitutional reform

As mentioned earlier, the current centralized state in Liberia finds its roots in the Constitution of Liberia. All powers and authority exercised by the state are through institutions of the central government. Additionally, all taxes in Liberia are collected by the Ministry of Finance, and all resources are under the sole control of the central government. Local country and district administrations report to a central ministry and central ministry staff working in those local units report directly to their heads in the capital. There are no deliberative powers within the local units. In a nutshell, local units of administration in Liberia function as extensions of line ministries from the capital. Thus, constitutional reform is critical to facilitating decentralization in Liberia.

While a statute of the legislature could make way for some reforms towards decentralization, real deliberative, fiscal and

administrative powers can only be given to sub-national political units through a constitutional reform process. In Liberia, the constitutional reform process initiated in 2012 holds the potential for organic reforms towards decentralization. In the last two years, debates on constitutional reforms have increasingly focused on decentralization issues, particularly those concerning the elections of local officials and deliberative powers for locally elected councils. The processes adopted by the Constitution Review Committee have included nationwide consultations and thematic hearings during which Liberians have made strong appeals for both local self-governance and the reduction of the powers of the central government. While ordinary Liberians and civil society actors see the discourse on constitutional reform as an opportunity to push through these demands, there are fears and concerns that opponents of decentralization reforms, particularly those in the Executive and Legislative branches of government, may control the reform process in a way that maintains the status quo. Validating these concerns are the experiences from the 1984 constitution review process during which the junta regime manipulated the process and eliminated decentralization related proposals from the constitution drafted by the Constitution Commission. The junta regime rather favored a constitution that overly situated power within the office of the presidency (Sawyer 2005).

Boundary harmonization

Boundary harmonization is presently a controversial issue in Liberia. Since the return to constitutional order, boundary crises have emerged between almost all sub-national units, and they are especially prevalent at the levels of chiefdoms, clans and districts. The most recent boundary crises were between two counties in the Southeast in 2010 (Sinoe and Rivercess) and two counties in the West (Gbarpolu and Bomi). While the ones at the county level could be resolved easily,

lower-level boundary disputes seem to pose a serious threat to the process of establishing local governments around the country due to their intractability. Resolving lower level boundary disputes have been difficult due to complicated claims from tribes and clans who attach extra values to land, whereas county level boundary disputes are resolved easily through dialogues with political leaders as was seen in the resolution of the above cases. This problem has grown over the years by the proliferation of cities, chiefdoms and districts created by the successive governments, particularly since the 1980's. Thus, a national program on boundary harmonization will facilitate the process of identifying the local units and determining under which category they can best be administered, for example, municipality, amalgamated town, or administrative district.

Revenue sources for local governments

A local government cannot function effectively as a semi-autonomous unit with responsibilities of service delivery in the absence of identifiable local sources of revenue. In Liberia, there are revenue collection agents in almost every county working for the central government. Some counties are endowed with private sector investments in agriculture, mining and forestry. Royalties on investments and taxes, collected in these counties are the preserves of the central government. Through decentralization, a process needs to be established in which local taxes and royalties on lands, mining, logging and agriculture can be used as sources of revenue for local governments. This should be a priority in order to ensure that resources accompany responsibilities. In addition, a process of inter-governmental fiscal transfer that facilitates funding equalization among local governments, or specialized funding to local governments, is critical in the design and implementation of decentralization in Liberia. Ndegwa and Levy (2004) note that local government effectiveness at the level of the communes in Senegal was undermined

by the failure of the central government to match the wide range of responsibilities assigned to the communes with corresponding increases in fiscal resources. This case and probably many others in Africa are worthy lessons for the implementation of decentralization reforms in Liberia. Successful decentralization therefore, does not only go with the power of the local people to choose their own local leaders, and deliberate in local councils, but encompasses the ability to raise revenue and make public expenditure at the local level. Kathleen O'Neill (2005) summarizes total decentralization as follows:

Only when local officials are elected and can count on non-discretionary financial transfers from the central government, local taxes, or both is power truly decentralized. Autonomy and access to financial resources are the hallmarks of effective decentralization.

The civil service

A credible and responsive civil service is critical to the effectiveness of local governments as it is for the central government. Liberia's extant governance system has a centralized civil service system, and civil servants currently deployed to the counties are personnel of deconcentrated units of various line ministries of the national government. The relationships between local unit civil servants from one ministry or agency to another is sometimes unclear and typically have no connection with the head of the local county administration who is appointed by the President. A process that consolidates the works of the deployed civil servants in the counties under the coordination or supervision of the county administration is likely to build a local cadre of qualified and responsive staff considering that they will be closely supervised. The current system of deconcentration with civil servants accountable only to central agencies reduces the incentives of productivity at the local levels and promotes attrition in many ways. In addition, line

ministries are known for appointing mostly junior servants to county offices, where rather the services of experienced civil servants are needed. The consequences, according to Wunsch and Olowu (1995), are that junior and mostly inexperienced civil servants in the deconcentrated units at the local levels act only when instructed to do so by the central line Ministry. In addition, it is common that such inexperienced staff focus most of their attention on doing what is necessary to gain a posting at the central Line Ministry. Decentralization reforms in Liberia therefore will have to fit into the broader contexts of public sector and civil service reforms that are currently being implemented. This will have to consider a two tier process: (1) either local governments run their own local civil service systems; or (2) central government deploys civil servants to local governments based on the needs and requests of the local governments and deployed civil servants are considered local staff, but recruited from the center based on a nationally approved merit-based recruitment system.

Civic education

A nation-wide civic education program is needed to educate the Liberian people on the range of reforms and peace-building programs currently ongoing in the country. Decentralization reform goes beyond the opportunity or space provided for the citizenry to participate. It rather extends to the awareness, ability and competence of the people to reap from the opportunity to further advance their lives. Citizens' understanding of decentralization and local self-governance, their roles and responsibilities, rights and limitations in local governments can only be facilitated through a nation-wide civic education program on decentralization and democracy. The mass rate of illiteracy in Liberia is alarming and continues to negatively influence electoral processes, economic development, and the application of the rule of law. Civic education is therefore integral to decentralization in Liberia

because it is imperative that the citizenry is made aware of the fundamental changes that will accompany the transition from 'indirect rule' to local self-governance. The goal of attaining mass local participation in governance is likely to be hindered when a civic education program is not implemented along with the reforms.

Progress Made on Decentralization Reforms

From the establishment of the Liberian state in the 1800s, there have been several attempts of the coastal state at decentralization into the hinterlands. The first major step toward extending the rule of the Monrovia government into the hinterlands was in response to territorial claims by the British and French who had colonies around the new independent state. A system of local administration was thus introduced in 1904 in which indigenous communities were organized into clans, chiefdoms and districts (Sawyer 1995). This system was further enhanced through the elimination of provinces and the creation of additional counties in 1964. This provided for a single system of local administration, with the county being the first tier of local administration followed by district, chiefdom and clan. Through several executive initiatives, these efforts were being consolidated in the 1970s with the hope that development could be accelerated through the local administrations and a process of decentralization (Sawyer 1995). Thus, the role of county superintendents in local development was strengthened, a new position of development superintendent was created and a taskforce to lead rural development through a program of decentralization was also established (Sawyer 2005). Until the military seized power in 1980, these efforts were making some noticeable gains towards decentralization. The constitutional reform process of the 1980 was a missed opportunity for a move toward democratic local self-governance through decentralization. Key provisions for decentralization, such as

the creation of local county committees and a consultative process for the appointment of county superintendents, were removed by the Constitutional Advisory Assembly appointed by the president to review the work of his own Constitution Commission (Sawyer 2005). The outcome of this process was a constitution that retained presidential authority and the centralization of the Liberian state. In the 1990s civil war broke out and warlord politics set in. The inauguration of a civilian democratic government in 2006 once again provided a new opportunity for governance reforms.

The reforms since 2006 towards decentralization are worth examining here, albeit briefly. A detailed discussion of the reform programs and their impacts would require another extensive inquiry. The new reform initiatives, however, provide further opportunities for the establishment of a system of local self-governance in Liberia. The fact that these reforms are driven by the administration itself indicates improved prospects for effective implementation.

County Development Fund

The County Development Fund (CDF) was introduced in 2006 as a means of supporting locally driven development projects in the counties. In the first year, an amount of US\$60,000 was given to each county. This was done without consideration for factors such as population, county size, socio-economic needs, etc. Such criteria are usually applied in other jurisdictions where transfers are made to sub-national units. The CDF mirrors what was done during the Tolbert administration during which counties were given US\$75,000 and territories US\$50,000 for local development programs⁴. In the last five years allotments to the counties have increased to US\$200,000 annually, and evidence from around the counties indicate that the CDF has introduced various accountability and participation channels for local citizens and county officials. Implementation of development projects from the CDF requires a participatory planning process with county

officials, county legislative caucus, and representatives of various citizen groups and districts. In most instances, decisions on the use of the annual allotment are made at town hall meetings and through consensus. This process has been strengthened with the establishment of the County Council in the Budget Act of 2012. The County Council has now replaced the informal town hall meetings and includes a broad representation of citizen groups, the districts, chiefdoms and clans. The limitation of the County Council is that its functions are limited only to the allocation of the CDF on various projects within the county. It has no other powers as would commonly be expected. This includes for example, the power to make local ordinances, power to demand accountability or power to veto. Accountability demands are driven by local civil society organizations in the counties, and this has been possible through the sense of local ownership that the CDF has instilled among the people (Nyei 2011). The demands for accountability in the implementation of the CDF have exposed numerous acts of corruption by local officials in the counties. Audit reports suggest that there has been massive fraud and mismanagement of the implementation of the CDF in several counties. Local groups have also increased their demands for prosecution and restitution of funds, yet not much has been done to prosecute local officials that were accused of corruption and mismanagement by the General Auditing Commission. Such allegations of corruption and mismanagement in the implementation of the CDF, broadly portrayed in the non-completion of several projects in the counties, have raised concerns that further decentralization of fiscal powers might lead to a decentralization of corruption, and local citizens might be denied of needed social services if local governments tend to be corrupt.

County Development Agenda (CDA)

The County Development Agenda was an output of a nationwide participatory development planning process beginning in 2006.

A development agenda for each county was prepared through a district-to-district consultative process. This was done along with the preparation of Liberia's Poverty Reduction Strategy. The CDAs were introduced in 2008 as a local version of the PRS in each county. Projects outlined in the CDA were financed by the CDF. By 2011, implementation of all CDAs ended, but there has been no formal report detailing the achievements and challenges in the implementation of the ambitious projects listed in the CDAs. However, one can safely argue that while there were remarkable achievements in some counties, the high turnover of local officials because of new appointments made by the President, the absence of strong legal structures for accountability in the counties, corruption in the management of the CDF, corrupt procurement processes and the lack of trained personnel in the counties are among the factors that eventually derailed the implementation of the CDAs overall. For instance, some counties like Rivercess County experienced turnover of Superintendents three times between 2006 and 2009.

The regional justice and security hubs

The regional justice and security hubs program - while they do not provide a full decentralization of justice and security governance authority to sub-national units - provides an opportunity for decentralization and efficient service delivery in the security and justice sectors. In Liberia, access to justice is limited and very time-consuming. This has led to crowded prisons with more pretrial detainees than convicted criminals. The government intends to address these challenges by building and operating five regional hubs. The first hub was launched in Gbarnga, Bong County (north-central Liberia) in 2013. The objectives of the hubs are infrastructure and logistical support to justice and security institutions, strengthening capacity of personnel and ensuring a responsive justice and security sector⁵. For local citizens the hubs provide access to variety of services including courts, police, correction and immigration. For the

state, the hubs facilitates decentralization of service delivery to rural areas where its presence and authority have been limited or non-existent. If fully implemented, the program will present greater opportunities towards decentralization of authority in the security and justice sector to local governments.

National policy on decentralization and local governance

This policy was developed through a nationwide consultation process with chiefs, local county officials, experts, development partners and local civil society organizations. It lays the framework for an ambitious devolution of political, fiscal and administrative powers to the counties and other sub-national units. The policy represents the government's broad commitment to decentralization through a comprehensive and well-sequenced process. The development of the policy was led by the Governance Commission. Since the promulgation of the policy by the President in January 2012, the Commission has led numerous efforts at reforming other sectors and developing strategies for the sequential implementation of the policy. One of such strategies is the Deconcentration Implementation Strategy, a three-year plan. In the first phase of decentralization, the plan 'provides policy guidance and overall framework for deconcentrating services to rural Liberia through a coherent roadmap and framework that ensure implementation in a coordinated, synchronized and efficient way to attain a higher level of efficiency, economies of scale and cost effectiveness' (Governance Commission 2012). Twelve ministries and two agencies, including those directly responsible for service delivery, are to deconcentrate services and implementation to the counties and at the end of the third year, merge and coordinate activities in the office of the county superintendent.

The draft Local Government Act

The draft Local Government Act is the legal and regulatory framework for the implementation of the National Policy on Decentralization and Local Governance. This

Act is arguably the first legal instrument drafted in Liberia to effectuate full devolution of political, fiscal and administrative powers to local sub-national units. The Act, like the policy, was drafted through a nation-wide consultative process and was led by the Governance Commission with support from the Ministry of Internal Affairs, the Law Reform Commission and development partners. For the citizens and legislators who participated in dialogue and the validation workshops, the nation-wide consultative process in the drafting of the Act added legitimacy to the process and improved popular support for the initiative. It also increased civic education and awareness on the provisions of the law. An interesting development is that the drafting of the Act has been supported by key line ministries that are to lose considerable powers when it comes into effect. In addition to the devolution of powers to the sub-national units, the Act provides for a system of inclusive governance that considers gender equity and affirmative action for women, the physically challenged, ethnic minorities and other disadvantaged segment of the population in the counties. While some observers argue that the Act is overly ambitious and likely to lead Liberia to a federation, the Act itself is clear on the affirmation of the key constitutional principles that Liberia should remain a unitary state. It also states that decentralization in Liberia shall not be construed as a process leading towards a federal state. The Act also reaffirmed that key powers related to defense and security, foreign affairs, judiciary and regulatory regimes among others should remain with the Central Government⁶.

Challenges of decentralization reforms

Governance reform as a whole is a complex political initiative, particularly in situations where the state is haunted by politics of patronage, marginalization and a weak capacity. This is exactly the context within which governance reform is taking place in

Liberia as efforts are made towards a system of democratic governance that accelerates socio-economic development.

While there have been significant citizens and stakeholders' demand for decentralization over the years, one key challenge has been in identifying which way to go with decentralization. Resolving the issues in the debate above has been a key challenge to advancing decentralization reforms. Even with the promulgation of a national policy, key policy makers including cabinet ministers, still differ on the way to go with decentralization reforms. One group in this internal debate proposes that decentralization should be piloted with some counties, while others see the policy as too ambitious and must take several years before local sub-national units attain autonomous status. Also important to note is the challenges associated with the implementation of the ongoing Deconcentration Implementation Strategy.

While credit can be given to the government for initiating or accepting policy proposals for decentralization reforms, a strong 'political will' in support of decentralization as an integral element of postwar governance reform remains missing. Strong political will requires presidential or executive ownership and leadership of the process, including instructing government officials to drive the process from their various ministries and agencies. This has not been the case, even though the government has initiated in some respect most of the reform measures mentioned above. In some cases, policy prescriptions from donor organizations in exchange for development aid have driven some of the reform programs. Another challenge to the reforms is the limitation in financial and human resources available to support the programs associated with the reforms, for example civic education and research. The challenges of financial and human resources are common to almost all of the governance reform initiatives in Liberia, and it particularly affects the decentralization program because it has not been prioritized for further

funding in the national budget. Evidence shows that most of the reform programs have been financed through foreign aid, and in most cases, government has proven incapable of assuming financial responsibilities when donors withdraw.⁷

Finally, the process of legitimizing the reforms, which is not the end but part of the beginning, is a key foreseeable challenge. This particularly involves the legislative enactment process of the Local Government Act. With the draft Local Government Act pending enactment, one cannot predict the outcome of the political process which it will be subject to. Nevertheless, the current debate on decentralization will likely lead to legislators also being divided on several issues, particularly on the question of 'which way to go?' Members of the legislature have reviewed the draft Act and the policy at several seminars, and have always raised critical concerns with the role of traditional authorities, revenue generation, and the role of the local councils. Some legislators are concerned that local councils, including the proposed County Council, could be an usurpation of their (National Legislature) constitutional responsibilities. Deliberations on these issues are likely to go longer than expected, and might have similar life span as the controversial electoral threshold bill that was introduced in 2008, and could not be passed after two years of filibustering in both houses⁸.

Conclusion

One cannot overemphasize the fact that over-centralization has undermined democratic governance, popular participation and socio-economic development in Liberia. Experiences from around the world demonstrate that it is only through systems of local self-governance that local communities can better utilize their full potential in advancing their well-being. Liberia currently has an opportunity to break from the chain of centralized governance and presidential autocracy that have evolved over time. This

opportunity lies in the numerous governance reform programs, the demands from citizens and political stakeholders for a system of power-sharing between the national government and sub-national units and the growing civil society movement. Other opportunities lie in the shadow decentralization programs like deconcentration of ministries and agencies, annual budgetary allotments to counties, etc. Yet still, the greatest opportunities for decentralizing the state are in the legal reforms initiated through the constitution review process and the draft local government legislation. These reforms, particularly the constitution review process, must ensure that local sub-national units are provided with the space and structure for local self-governance under Liberia's principles of ensuring a unitary state. The space here refers to the legal and political environment available for free and unrestrained decision-making processes at the local level. The structure refers to the institutions and rules created to ensure enforcement of decisions and delivery of services to the people. Decentralization itself will provide numerous opportunities for good governance and to strengthen the fight against corruption since they are likely to enhance broad based participation and create multiple actors and numerous channels of accountability at each level of government.

While numerous efforts are being made toward decentralization reforms over the years, the process is still challenged by the lack of common understanding on the way forward among stakeholders, limited political will, and the limitation of resources to enhance the reforms. Once these challenges are addressed and local governments established in Liberia, the first stage of decentralization will be complete and the next phase will be to ensure that the goal of democratic governance and socio-economic development are attained through the decentralized structures. This obviously requires effective local governance and a firm commitment to the principle of subsidiarity – that all matters

should be handled by the lowest competent authority - from the central government.

Notes

- ¹ Uganda, Ghana and Senegal are notable developing countries in Africa that have been implementing decentralization reforms in the last three decades.
- ² Participants at various consultative workshops organized by the Governance Commission on Decentralization believe that over-centralization and politics of marginalization in Liberia were part of the causes of the 14-year civil war.
- ³ Comprehensive Peace Agreement, Article XVI, Section (d).
- ⁴ Interview with Dr. Alfred Kulah, former Minister of Rural Development during the Tolbert Administration.
- ⁵ See Ministry of Justice. Term of reference for the Manager of the Regional Justice and Security Hub in Gbarnga. Available at [http://www.unliberia.org/doc/Manager%20of%20the%20Regional%20Justice%20and%20Security%20Hub%20in%20Gbarnga%20\(National\)%20-%20UNDP.pdf](http://www.unliberia.org/doc/Manager%20of%20the%20Regional%20Justice%20and%20Security%20Hub%20in%20Gbarnga%20(National)%20-%20UNDP.pdf) [Last accessed on 25 June 2013].
- ⁶ Republic of Liberia 2013 Draft Local Government Act 2013.
- ⁷ A UN WOMEN program that supported the deployment and salary payment of Regional Gender Coordinator for the Ministry of Gender ceased to exist when UN WOMEN funds ran out. There was a lull in the implementation of the Liberia Decentralization Support Program in 2013 and 2014 due to slow financing by donor agencies.
- ⁸ At the end a Resolution was passed by both Houses of the Legislature to provide for the demarcation of electoral constituencies in the country. Many observers challenged the resolution as unconstitutional.

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